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Attorneys for Defendants
VXN GROUP LLC and MIKE MILLER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MACKENZIE ANNE THOMA,
a.k.a. KENZIE ANNE, an
individual and on behalf of all
others similarly situated,

Plaintiff,

v.
VXN GROUP, LLC, a Delaware
limited liability company; MIKE
MILLER, an individual; and DOES
1 to 100, inclusive,

Defendants.

Case No. **2:23-cv-04901 WLH (AGR_x)**

**APPENDIX OF EXHIBITS
REGARDING DEFENDANTS'
RENEWED MOTION FOR
SANCTIONS PURSUANT TO RULE
37(e) AND THE COURT'S INHERENT
POWER**

Exhibits A–T

[PUBLIC VERSION]

KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

TABLE OF CONTENTS

Exhibit		Page
A	Plaintiff’s December 21, 2022 Record Request	4
B	VXN’s January 11, 2023 Response Letter	10
C	Ryan Murphy Deposition Excerpts	13
D	Plaintiff’s Document Subpoena Responses	33
E	Murphy’s September 24, 2024 Text Message Production	79
FILED UNDER SEAL		
F	Mackenzie Anne Thoma Deposition Excerpts	81
G	Defendants’ Correspondence with Mainboard, LLC	85
H	Murphy’s September 26, 2024 Text Message Production	88
FILED UNDER SEAL		
I	Defendants’ Subpoena to Ryan Murphy	90
J	Plaintiff’s May 29, 2024 Letter to Murphy	112
K	Murphy’s First Subpoena Responses	114
L	Defendants’ Correspondence with Meta Platforms, Inc.	152
M	Murphy’s Supplemental Subpoena Responses	156
N	July 19, 2024 IDC Transcript Excerpts	226
O	Murphy’s Second Supplemental Subpoena Responses	232
P	Counsels’ Emails Re: Murphy Deposition	332
Q	Murphy’s Privilege Log	336
1		

APPENDIX OF EXHIBITS RE: DEFENDANTS’ RULE 37 MOTION

R Larry Lerner Deposition Excerpts 340

FILED UNDER SEAL

S Declaration of Larry Lerner (*sans original exhibits*) 342

T Plaintiff's State Court Request for Production of Documents 349

Dated: January 25, 2025

By: /s/ Trey Brown
Trey Brown
Attorney for Defendants

KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

EXHIBIT A



Entity Name: VXN GROUP, LLC

Jurisdiction: DE

Date: 12/28/2022

Receipt Method: Certified Mail

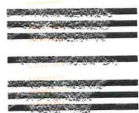
Case Number: N/A

Plaintiff: MACKENZIE ANNE THOMA

Defendant: VXN GROUP, LLC

Document Type: Request

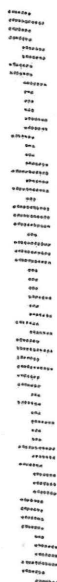
\$7.820
US POSTAGE
FIRST-CLASS
FROM 90211
DEC 21 2022
stamps
endicia



7020 0090 0000 9321 9125



VXN Group, LLC
2140 S DUPONT HWY
CAMDEN DE 19934-1249



22



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December 21, 2022

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

VXN Group, LLC
2140 S Dupont Hwy
Camden, DE 19934

Re: Record Request for Mackenzie Anne Thoma

Dear Sir or Madam:

Please be advised that this office has been retained to represent the interests of Mackenzie Anne Thoma in connection with her potential civil claims against VXN Group, LLC arising out of her employment therewith. For your convenience and records, we have enclosed an Authorization for Release of Confidential Information executed by our client.

Please allow this letter to also serve as a reconfirmation of your obligation to preserve any and all evidentiary items relating to Ms. Thoma's employment. It is therefore imperative that you take affirmative steps to preserve these items, as the failure to do so may constitute negligent or intentional spoliation of evidence. As such, any malfeasance on your part with regard to this issue will prompt this office to seek all applicable and appropriate evidentiary, issue, and/or terminating sanctions.

Accordingly, demand is hereby made that you advise this office of where the aforementioned evidentiary items are presently located. You are also to provide this office, to the extent that you are aware, with the name, address, and telephone number of each and every individual, organization and/or entity that may be in possession of such items and/or any other evidence relating to Ms. Thoma's employment with you.

Pursuant to California Labor Code section 432, in addition, you are to provide this office with a copy of each and every document signed by our client that relates to her employment with your company. Moreover, pursuant to California Labor Code sections 226, 432, 1174 and 1198.5, this letter will serve as a demand for copies of our client's time records, payroll records, the entirety of her personnel file, and all documents signed by our client to obtain or maintain employment. With respect to the payroll records, please be advised that Labor Code section 226 requires an employer to provide such records within **21 days** of the date of this request.

Record Request for Mackenzie Anne Thoma
December 21, 2022
Page 2

Your anticipated courtesy and cooperation with regard to this request is greatly appreciated.

Should you have any questions, please do not hesitate to contact me at the number above or via email at sarah@tomorrowlaw.com.

Very truly yours,

BIBIYAN LAW GROUP, P.C.

/s/ Sarah H. Cohen

Sarah H. Cohen

AUTHORIZATION

RELEASE OF CONFIDENTIAL INFORMATION

TO: VXN Group, LLC

RE: CLIENT: Mackenzie Anne Thoma

YOUR FILE NUMBER: _____

You are hereby authorized and instructed to communicate with and to allow my attorneys, BIBIYAN LAW GROUP, P.C., their agents, representatives, independent contractors or employees, to examine, copy, Photostat, or discuss any and all documents, files, instruments and/or records pertaining to the above captioned matter.

CLIENT further authorizes BIBIYAN LAW GROUP, P.C. to use such information for any purpose authorized by law.

CLIENT understands that he/she has a right to receive a copy of this Authorization upon demand.


A PHOTOCOPY OF THIS DOCUMENT SHALL HAVE THE SAME FORCE AND EFFECT AS THE ORIGINAL.

*PLEASE NOTE: To the extent that this release is used to obtain protected health information, the request for disclosure by my attorneys is made under authority of the California Confidentiality of Medical Information Act and HIPAA Privacy Rule section 164.524, and especially subsection (c)(4) thereof which provides:

Fees. If the individual request a copy of the protected health information or agrees to a summary or explanation of such information, the covered entity may impose a reasonable cost-based fee, provided that the fee includes only the cost of: (i) copying, including the cost of supplies for and labor of copying, the protected health information requested by the individual; (ii) postage, when the individual has requested the copy, or the summary or explanation be mailed; and (iii) preparing an explanation or summary of the protected health information, if agreed to by the individual as required by paragraph (c)(2)(ii) of this section.

DATED: 12/21/22

SIGNATURE: _____


Mackenzie Anne Thoma (Oct 25, 2022 21:24 PDT)

PRINT NAME: Mackenzie anne thoma

EXHIBIT B



1900 Avenue of the Stars, Suite 1225
Los Angeles, CA 90067
www.rossllp.la

Peter W. Ross
424.704.5600
pross@rossllp.la

January 11, 2023

File No. 2067-002

VIA CERTIFIED MAIL AND EMAIL

Sarah Cohen
Bibiyan Law Group
8484 Wilshire Blvd., Suite 500
Beverly Hills, CA 90211

Re: VXN Group, LLC v. Mackenzie Anne Thoma

Dear Ms. Cohen:

We are litigation counsel for VXN Group, LLC ("VXN"). We write in response to your December 21, 2022 letter to VXN.

In that letter, you request copies of certain records that relate to Mackenzie Anne Thoma's "employment" with VXN. We are informed that Ms. Thoma, at her request, was classified as an independent contractor, not an employee of VXN. Further, Ms. Thoma represented to VXN that she did not meet the conditions set forth in Assembly Bill 5 to be classified as an employee. These matters are confirmed in a signed, written instrument that provides in pertinent part:

12. Independent Contractor Status. Performer is an independent contractor. Performer will not be deemed an employee of Producer. Performer will be responsible for payment of all local, state, and federal taxes, including making self-employment tax payments. Producer will not be responsible for, nor will Producer withhold, local, state, federal, social security, Medicare, unemployment, disability, or any other kind of taxes. Performer will be responsible for providing Performer's own disability and worker's compensation plans for Performer's own benefit. In addition, Performer represents that they do not meet the conditions as set forth in Assembly Bill 5 (A.B.5.) to be classified as an employee.

As a consequence of Ms. Thoma's status as an independent contractor, there are no "time records, payroll records" or a "personnel file" pertaining to her "employment." There are, instead, a set of documents relating to her independent engagements for our client, all of which are being produced to you under cover of this letter.

In addition to requesting certain employment records, you also request that VXN place a litigation hold on "all evidentiary items relating to Ms. Thoma's employment." As noted above, Ms. Thoma was not classified as an employee. Nevertheless, the request for a litigation hold is acknowledged, and VXN has taken appropriate steps to preserve all evidence relating to the business relationship between VXN and Ms. Thoma.

ROSS LLP

Sarah Cohen
January 11, 2023
Page 2 of 2

Having addressed the requests contained in your letter, we must raise some additional concerns of our own. In the last year, VXN was forced to cancel several shoots that were to feature your client. One shoot was cancelled at the last minute after your client developed an infection, following unauthorized plastic surgery. A second shoot was canceled because your client had contracted monkey pox but had failed to timely advise VXN of the same. Due to your client's failure to provide timely notice, with respect to both shoots, VXN unnecessarily incurred costs and cancellation fees that total in excess of \$100,000. In addition, VXN is informed that Ms. Thoma breached the confidentiality clause, contained in her independent contractor agreement, by disclosing the terms of her agreement to Twice Baked Media, Inc. dba Motley Models ("Motley Models"), resulting in damage to VXN.

We have been authorized by our client to take all steps necessary to pursue its rights in these matters. You shall be hearing from us shortly. Meanwhile, we must insist that Ms. Thoma preserve all documents, communications, texts, emails, social media posts, voicemails, and any other documents or information in her possession, custody, or control relating to her performance of services for VXN and the cancellation of any scheduled shoots. The preserved evidence must include all medical and healthcare records, including but not limited to records of diagnoses, surgeries and treatments; records of all activities undertaken in the adult film industry over the last two years; records reflecting the safety precautions, or lack thereof, on those sets; tax documents related to those engagements; all communications reflecting the licensing of the "Kenzieland" brand and/or related intellectual properties; and all communications with Motley Models. The preserved evidence must also include all electronically stored information (ESI) from computers, tablets, smart phones, and any other data source, as well as paper and other hard copies of documents and other materials. Please acknowledge that you have received this preservation demand and will comply.

Please note that nothing in this letter should be construed as an admission, waiver, or complete statement of the rights of VXN or its affiliates, all of which are hereby reserved.

Kindly govern yourselves accordingly.

Very truly yours,



Peter W. Ross

cc: Emilie Kennedy
Eric Lauritsen

Encls.

ROSS LLP

EXHIBIT C

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MACKENZIE ANNE THOMA,)
a.k.a. KENZIE ANNE, an)
individual and on behalf)
of all others similarly)
situated,)
Plaintiff,) Case No.
2:23-cv-04901 WLH (AGRx)
v.)
VXN GROUP LLC, a)
Delaware limited)
liability company;)
STRIKE 3 HOLDINGS, LLC,)
a Delaware limited)
liability company;)
GENERAL MEDIA SYSTEMS,)
LLC, a Delaware limited)
liability company; MIKE)
MILLER, an individual;)
and DOES 1 to 100,)
inclusive,)
Defendants.)

VIDEOTAPED DEPOSITION OF RYAN GERONA MURPHY
Las Vegas, Nevada
Monday, July 22, 2024
10:09 a.m.

Reported by: Jill E. Shepherd, RPR, NV CCR 948
Job No. 6814499; Firm No. 068F

Page 1

1 And they began to represent you?

2 A. Correct.

3 Q. Okay.

4 Do you know who is paying for your
5 representation?

6 MS. COHEN: Objection. Vague.

7 BY MR. KANE:

8 Q. You can answer the question anyway.

9 Are you paying for the representation?

10 A. No.

11 Q. Okay.

12 Do you know if Kenzie Anne is paying for
13 the representation?

14 A. I do not know.

15 Q. Okay.

16 Did you discuss who would pay for it with
17 her?

18 A. No.

19 Q. Okay.

20 I just want to let you know also, you know,
21 that my clients do appreciate the fact that you were
22 the one person at Motley Models that really cared
23 about the models and tried to protect them. And we
24 have not brought any claim against Kenzie Anne in
25 this litigation.

Page 11

1 Now, since we started talking about the
2 documents, maybe we could go into sort of what
3 happened with the Instagram archive.

4 A. Okay.

5 Q. When was the first time you did an
6 Instagram archive?

7 MS. COHEN: Objection. Lacks foundation.
8 Vague, ambiguous, overbroad.

9 BY MR. KANE:

10 Q. Okay.

11 I mean, when is the first time you tried to
12 download an Instagram archive?

13 MS. COHEN: Same objections.

14 A. I don't know.

15 BY MR. KANE:

16 Q. Was it in the last week?

17 A. I honestly don't recall. Whenever it was
18 there I downloaded it, and now I have it on record.
19 That's pretty much it.

20 Q. Okay.

21 So has the download been completed?

22 A. Yes.

23 Q. Okay.

24 MS. COHEN: Same objections.

25 ///

1 BY MR. KANE:

2 Q. Did you provide it to your counsel?

3 A. Yes.

4 Q. Okay.

5 When did you provide it to your counsel?

6 A. I provided it last week.

7 Q. Can you tell me what day last week?

8 A. I do not recall at this point.

9 Q. Was it Saturday?

10 A. I don't recall.

11 Q. Was it Friday?

12 A. It was sometime last week.

13 Q. But you have no recollection of if it was
14 either early, middle, or late last week?

15 A. I would say roughly, probably middle of
16 last week.

17 Q. So you think maybe Wednesday or Thursday?

18 A. Possibly Wednesday.

19 Q. Okay. We'll come back to this.

20 When you -- when you did the Instagram
21 archive, did you have assist -- I'm sorry --
22 Instagram archive download, did you have any
23 assistance with that?

24 MS. COHEN: Objection. Vague.

25 A. I mean, just the link. That's pretty much

Page 13

1 about it. And to show where to go.

2 BY MR. KANE:

3 Q. Okay.

4 And do you recall if the first time you
5 downloaded your Instagram archive was this last
6 week?

7 A. I don't recall. I felt no reason to before
8 last week so...

9 Q. So it's unlikely you did it before?

10 A. It's very unlikely, yeah.

11 Q. Okay.

12 And I wanted to ask you about how you use
13 your Instagram.

14 Did you communicate with Kenzie Anne via
15 your Instagram?

16 MS. COHEN: Objection. Vague, ambiguous.
17 Overbroad as to time and scope.

18 A. I mean, I've always considered Kenzie a
19 friend, so we've had personal conversations on
20 there, yeah.

21 BY MR. KANE:

22 Q. Okay.

23 And, you know, is the same true about Sid
24 Vision [verbatim]?

25 A. Never had a --

Page 14

1 A. Yes.

2 Q. And your dash cam just recorded it?

3 A. I mean, it's saved on an SD card, yeah.

4 Q. Okay.

5 Forgive me, I'm probably a bit older than
6 you.

7 What's an SD card?

8 A. It's just the card that saves, you know,
9 the data that was on the camera, yeah.

10 Q. All right.

11 Was there a particular reason why you saved
12 it?

13 A. I saved it actually, honestly, by mistake.
14 I don't save personal conversations from my dash
15 cam. This conversation took place because it was
16 requested for me to record a meeting between myself,
17 Dave Rock, and another group who were aware of the
18 recording for the record. Since the video records
19 up to four hours, we had a conversation before the
20 recording in which the comments took place.

21 Q. Okay.

22 When we're talking about Mike Moz, how
23 would you describe your relationship with him?

24 A. Initially good. You know, there's times
25 where I considered Mike, you know, a friend outside

Page 18

1 of work.

2 Q. Um-hum.

3 A. You know, things got really sour for, I
4 don't know, whatever reason it did, roughly around
5 the middle to end of 2022. You know, I was hearing
6 some things, not directly. Mike wasn't reaching out
7 to me. I wasn't really understanding why. Dave
8 Rock claimed that VXN only wanted to do business
9 with him, being Dave Rock, and was not having any,
10 like, personal conversations with Mike outside of
11 the standard booking questions, and most of the time
12 that was going through Dan Declan in regards to
13 booking models for VXN.

14 You know, due to the non-contact of
15 everything, you know, I wasn't aware of a lot of
16 situations happening. Apparently Mike was extremely
17 upset with me over an incident, I believe roughly
18 around late 2022 before the expo, the AE Expo, and
19 the AVN awards in 2023, in which there was a model
20 who was supposed to be signing directly for them and
21 we agreed upon that and I thought and everything was
22 good to go.

23 I was told -- when I wasn't getting any
24 correspondence with Mike Moz in regards to the
25 details of this, I was told by Dave Rock to book her

Page 19

1 with somebody else, and which I did. Apparently,
2 she -- somebody within VXN reached out to her and
3 told her about the VXN signing and what they were
4 doing for that. She informed them that she was with
5 somebody else.

6 I then received a phone call from Dave Rock
7 with Sid Vision on the phone stating that Mike went
8 nuclear on him, sent pointed death threats towards
9 me, and was very serious about the situation,
10 apparently screaming and yelling at Dave about this.

11 You know, we attempted to make it right.
12 We did make it right. You know, told the model that
13 she was back with VXN. It was a clear
14 misunderstanding of the situation. I was clearly
15 thrown under the bus for this, which happened a lot
16 at Motley Models. And, you know, they decided not
17 to book her anyways for this appearance. So that
18 was that.

19 The threats were significant to the point
20 in which Dave Rock hired security to be my shadow at
21 the expo to incur [verbatim] that nothing was going
22 to happen. Mike Moz would also make threats towards
23 other people. You know, I just wanted to --

24 Q. Thank you. I appreciate --

25 A. That's why it was significant, because he

1 had done it before.

2 Q. Okay.

3 Let me back up a few steps.

4 What was the name of the model that was
5 involved in this controversy?

6 A. Her name was Nicole Doshi.

7 Q. And Dave Rock and Sid Vision had a call
8 with Mike Moz; and this was in 2022, 2023?

9 A. I believe it was towards the end -- it was
10 before the expo, so it would have had to have been
11 towards the end of 2022.

12 Q. So late 2022. Okay.

13 And can you give me, to the best of your
14 recollection -- I'm not asking for verbatim, but do
15 you remember about what Dave Rock told you that Mike
16 Moz's threats were?

17 A. What I was told -- and this was
18 corroborated by Sid Vision because they were at
19 dinner at the time together when the phone call was
20 made and the phone call was heard by Sid as well --
21 that Mike Moz told Dave -- and I'm using the best
22 recollection that I could have and trying to
23 paraphrase because I don't know the exact statement
24 of this and what -- I only know what was told to me,
25 that Mike told him that you need to find somebody

Page 21

1 You know, after Dan didn't respond, one of
2 my last ditch efforts in order at this point to save
3 my career or continue to work in this industry was
4 to try to talk to Mike to see if we can go ahead and
5 start booking models again with them.

6 Q. So he didn't respond.

7 Did you have any further communication with
8 him after that?

9 A. No.

10 Q. All right.

11 Now, when you say that the allegations
12 against Dave Rock came out --

13 A. Correct.

14 Q. -- are you referring to the use of cameras
15 in the Motley Models mansion?

16 A. Correct.

17 Q. Okay.

18 Could you give me the two-second overview
19 of what that is?

20 A. To this day I still don't fully understand.
21 But apparently, a model posted on social media
22 videos of what she claimed were secret recordings
23 that were done inside the house, specifically of
24 her. And obviously that came out and, you know,
25 killed the agency at that point. Yeah.

Page 29

1 A. Yes.

2 Q. Okay.

3 And again, that's how it worked.

4 Now, let me ask you a question: Was there
5 a program that Motley Models used for scheduling?

6 A. Yes.

7 Q. What that was that program?

8 A. It was called Main Frame.

9 Q. Main Frame?

10 A. Or known as Portfolio Pad.

11 Q. Portfolio Pad; that I'm familiar with.

12 Can you tell me what Portfolio Pad is?

13 A. It was just a booking tool that we used, a
14 web-based booking tool, that we did have a lot of
15 problems with a lot. But it was more about getting
16 the bookings on their end, holding the dates on the
17 calendar, sending those dates to the model, the
18 model accepting those dates as well.

19 A lot of models, you know, would be
20 available for some things and available for not. Or
21 if they are booked on a different day, or like in
22 Kenzie's case where she marked off in her calendar
23 more likely that she was in Hawaii, they can block
24 off those dates, right? And put the reason why, I'm
25 out of town, family, I got this going on, I can't

Page 97

1 work those days, right.

2 So it would be an easy tool for me to see
3 that in the calendar that, Hey, they can't work
4 those days, and I could immediately go in and pull
5 up the calendar by name and see what dates the model
6 is available for.

7 Q. So let me take a step back to understand
8 how Portfolio Pad works.

9 A. Yeah.

10 Q. Motley Models had a Portfolio Pad account?

11 A. Correct.

12 Q. And you as the booker would then have
13 access to the calendars of the models you were
14 working with?

15 A. Yes.

16 Q. How many models were you working on
17 average?

18 A. At this time, in 2021, over 60.

19 Q. Wow. That's a lot.

20 In Portfolio Pad, can you send people
21 messages?

22 A. Not, like, direct. But we can put notes in
23 the bookings, like any specific thing that needed to
24 be there or, you know, what type of shoot it is, if
25 we have any information about who the other talent

1 is, anything like that, so...

2 Q. Okay.

3 So let's say you've got information on a
4 shoot --

5 A. Yeah.

6 Q. -- right? And you want to find out if the
7 model is available and you put it in Portfolio Pad.

8 Do they get notified that they have new
9 information in Portfolio Pad so they can come look?

10 A. Yeah. They get an e-mail notification,
11 yes.

12 Q. Okay.

13 Does the e-mail notification just tell them
14 you need to go look in Portfolio Pad or does it give
15 them some of the information?

16 A. I don't know specifically what they see on
17 their end. But they are supposed to see the booking
18 information, and then they can, you know, go into
19 their Portfolio Pad and accept or deny that and give
20 a reason why.

21 Q. Okay.

22 Did they often give a reason why if they
23 were denying?

24 A. Some models did that they forgot to mark it
25 off on their calendar, they weren't available. You

Page 99

1 Do you still have access to the
2 rgmurph38@gmail.com account?

3 A. Yes.

4 Q. Do you still have access to
5 ryankonalv@gmail.com account?

6 A. Yes.

7 Q. Okay.

8 And did you search those accounts for
9 responsive documents to the subpoena?

10 A. No.

11 Q. No? Okay.

12 And why is that?

13 A. Because there was nothing in there
14 responsive to that.

15 Q. Okay.

16 That's your personal e-mail?

17 A. That's my personal, yeah.

18 Q. Did you ever communicate with Kenzie Anne
19 after you left?

20 A. Not by e-mail, no.

21 Q. Okay.

22 So you are confident without looking in
23 those accounts?

24 A. Yeah.

25 Q. Okay.

1 And so do you keep in touch with any of the
2 models -- I'm sorry -- any of the talent from Motley
3 Models since you left there?

4 A. Very, very, small few.

5 Q. Okay.

6 And how do you communicate with them?

7 A. You know, I rarely communicate with
8 anybody. But phone call, text.

9 Q. Okay.

10 So you would expect that that sort of stuff
11 would be in your text messages?

12 A. I mean -- but, yeah, we don't talk about
13 work. We don't talk about -- you know, the people
14 that I talk with are my friends and, like I said,
15 maybe three at this point, and we just -- you know,
16 we talk about life; we talk about how things are
17 going, maybe make plans to see each other. You
18 know, that's how it works.

19 Q. Okay.

20 Is Kenzie one of those people?

21 A. Not really directly as much as we used to,
22 no.

23 Q. Well, how many times have you communicated
24 with Kenzie this year?

25 A. Maybe less than a handful.

1 Q. Okay.

2 Since the time that you talked to her about
3 the subpoena, have you communicated with her?

4 A. Yeah. I've communicated with her at AVN,
5 you know, but she wasn't in town, so...

6 Q. Right.

7 Well, AVN was in January --

8 A. Yeah.

9 Q. -- right?

10 A. Yeah.

11 Q. Okay. So there's then.

12 And then the subpoena was in May.

13 A. Okay.

14 Q. So have you communicated with her since
15 then?

16 A. Since the subpoena?

17 Q. Yeah.

18 A. Not outside of what I already told you, no.

19 Q. All right.

20 Have you texted with her since March?

21 A. She asked a simple question, non any of
22 this related, and, you know, I gave an answer. She
23 asked how things were doing and I told her, and
24 that's about it. And that was the end of the
25 conversation.

1 Q. Okay.

2 And you said that you have not communicated
3 with any of the people associated with Motley
4 Models --

5 A. Correct.

6 Q. -- since --

7 A. Since I left there.

8 Q. Okay.

9 A. Yeah.

10 Q. Let's talk about your phone for a minute.

11 A. Okay.

12 Q. I understand that in March of this year
13 something happened to your phone?

14 A. I got a new phone. Typically what will
15 happen in regards to the data transfer over that
16 phone, it will ask me to -- if I want to retain my
17 messages or not retain my messages. I chose not to
18 retain my messages. I wanted -- as stated many
19 times -- wanted to be fully removed from this
20 industry. Those that were in contact with me could
21 remain in contact with me, my number is the same.
22 But I had no reason to look back on anything adult
23 industry-related wise and nor did I care to ever go
24 back there.

25 Q. Okay.

Page 106

1 What kind of phone did you have before?

2 A. It was a Samsung Galaxy 23.

3 Q. What is the new phone?

4 A. 24.

5 Q. Okay.

6 So you made an intentional choice to wipe
7 all that out?

8 A. Yeah.

9 Q. Okay.

10 Let's look at 009 on Exhibit 2. This is
11 November 2021. And it says, "Sir, do you have
12 Kenzie December availability?" And you say, "Pretty
13 open. What dates are you thinking?"

14 And it seems like she's available, right?

15 A. Yes.

16 Q. Okay.

17 The next one, it's on 10, third one down,
18 it says, "Copy. Working on it. Please soft hold
19 day for me."

20 What is a soft hold day?

21 A. It means just to hold it until they can get
22 confirmation. Basically I just hold that date on
23 the calendar on my end before giving it out to them.

24 Q. Okay.

25 And you mentioned earlier that she had

1 though.

2 Q. Okay.

3 A. So she didn't know anything involved.

4 Kylie Rocket.

5 Q. Okay.

6 A. Madi Laine. Some random fan.

7 Insignificant. Don't know who he was or what he was

8 about. A director by the name of Dean Capture.

9 Q. Okay.

10 A. That's pretty much it.

11 Q. Okay.

12 Do you know where Sid Vision lives now?

13 A. No.

14 Q. Do you know who would know?

15 A. I -- he's disappeared. I don't know.

16 Q. Okay.

17 A. No.

18 Q. Do you know if Kenzie Anne keeps in touch
19 with Sid Vision?

20 A. From my knowledge, no.

21 Q. Okay.

22 Do you know where he -- or Sid Vision works
23 now?

24 A. No.

25 Q. Do you know where Dave Rock works now?

EXHIBIT D

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Attorneys for Plaintiff, Mackenzie Anne Thoma,
on behalf of herself and all others similarly situated

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on
behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited
liability company; STRIKE 3
HOLDINGS, LLC, a Delaware limited
liability company; GENERAL MEDIA
SYSTEMS, LLC, a Delaware limited
liability company; MIKE MILLER, an
individual; and DOES 1 through 100,
inclusive,

Defendants.

CASE NO.: No. 2:23-cv 04901WLH
(AGRx)

CLASS ACTION

Assigned for All Purposes To:
Chief District Judge Wesley L. Hsu
Magistrate Judge Alicia G. Rosenberg

**PLAINTIFF MACKENZIE ANNE
THOMA'S RESPONSES TO
DEFENDANT VXN GROUP,
LLC'S REQUESTS FOR
PRODUCTION OF DOCUMENTS
(SET ONE)**

Complaint Filed: April 20, 2023
Removed On: June 21, 2023
Trial Date: None

1 **PROPOUNDING PARTY:** Defendant VXN GROUP, INC.

2 **RESPONDING PARTY:** Plaintiff Mackenzie Anne Thoma

3 **SET NUMBER:** ONE (1)

4
5 Plaintiff Mackensie Anne Thoma (“Plaintiff”) hereby responds to the
6 Requests for Production of Documents (Set One) propounded by Defendant VXN
7 Group, Inc. (“Defendant”) as follows:

8 **PRELIMINARY STATEMENT AND GENERAL OBJECTIONS**

9 1. Plaintiff has not fully completed her investigation of her own claims
10 and has not fully completed discovery with respect to matters at issue in this case,
11 and has not completed her preparation for trial. For those reasons, Plaintiff’s
12 responses to the Requests for Production may be incomplete. Also, there is a
13 possibility that, upon further investigation, certain details set forth in the responses
14 may be altered or amended. Furthermore, additional discovery and further
15 investigation will result in additional facts, documents, or things being discovered
16 which may result in variation from the responses set forth herein. These responses
17 to the Requests for Production represent Plaintiff’s reasonable effort to provide the
18 information requested based upon documents in Plaintiff’s possession, custody, or
19 control, and based upon Plaintiff’s current knowledge. These responses are made
20 without prejudice to Plaintiff’s right to introduce evidence of subsequent
21 discovered facts, documents, or writings at trial. Plaintiff reserves her right to
22 produce evidence of any subsequently discovered facts or facts, to alter or amend
23 her responses set forth herein, and otherwise to assert factual and legal contentions
24 as additional facts are ascertained, analyses are made, and legal research is
25 completed. By this reservation, Plaintiff does not in any way assume a continuing
26 responsibility to update her responses to this Requests for Production insofar as it
27 may be construed as limiting or restricting Plaintiff’s right to rely upon any
28

1 document, things, or information for any purpose whatsoever, including use of
2 responsive documents, things or information as evidence at any subsequent
3 hearing, trial or other proceeding.

4 2. If any further documents are to be produced, Plaintiff intends to
5 exercise her right to produce the requested documents as they are kept in the usual
6 course of business. As a result, many of the documents, which may be responsive
7 to one request, may also be responsive to another request.

8 3. Plaintiff objects to the Requests for Production to the extent that they
9 purport to enlarge and/or modify Plaintiff's obligations under the Rules of Civil
10 Procedure.

11 4. Plaintiff objects to the Requests for Production to the extent that they
12 request information and/documents protected by any privilege or protection,
13 including the attorney-client privilege or work product doctrine, the taxpayer
14 privilege, or any other privilege or protection, and Plaintiff and her counsel hereby
15 assert such privileges and protections.

16 5. Plaintiff objects to the entire Requests for Production to the extent that
17 it is not limited to documents in Plaintiff's possession, custody, or control.

18 6. The general objections set forth above and below, and the objections
19 to specific requests set forth below, are made as to the matters that are clearly
20 objectionable from the face of the Requests for Production. These objections are
21 made without prejudice to or waiver of Plaintiff's right to object to on all
22 appropriate grounds to the production of specific documents hereafter, either prior
23 to, or at the time of production of such documents.

24 7. Plaintiff will make reasonable efforts to respond to each of the
25 Requests for Production, to the extent that no objection is made, as Plaintiff
26 understands and interprets the request. If Defendant subsequently asserts any
27
28

1 interpretation of any request for documents or things which differs from that of
2 Plaintiff, Plaintiff reserves the right to supplement her objections and responses.

3 8. An indication that Plaintiff will produce relevant non-privileged
4 documents, which Plaintiff believes to be properly called for by a particular
5 request, does not necessarily imply the existence of the documents requested.

6 9. Plaintiff objects to the entire Requests for Production to the extent that
7 it seeks documents that are equally available to the requesting party or its counsel.

8 10. Notwithstanding the specificity of Plaintiff's responses to the
9 individual requests, Plaintiff expressly incorporates these General Objections and
10 Comments by reference as though fully set forth into its specific responses to each
11 and every request in this set. Thus, if any objection contained in these General
12 Objections is not restated under a specific response to an individual request, this
13 should not be construed to be a waiver of the objection not restated below.

14 **REQUESTS FOR PRODUCTION OF DOCUMENTS**

15 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 1:**

16 Documents relating to the allegation in paragraph 5 of the SAC that VXN
17 "exercised control over every aspect of Ms. Thoma's body, including with whom
18 she has sexual intercourse[.]".

19 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 1:**

20 Plaintiff objects to this request on the grounds that it is overbroad as to
21 "every aspect of Ms. Thoma's body," unduly burdensome, oppressive, vague, and
22 ambiguous, as any number of documents could be responsive. This request also
23 fails to reasonably particularize each item or category sought to be produced or
24 inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects
25 to this request to the extent it calls for a legal conclusion as to the documents that
26 might be responsive, and is vague and ambiguous as to the meaning of undefined
27 terms.

1 Plaintiff objects to this request to the extent it invades Plaintiff's right to
2 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
3 request on the grounds that it seeks information and documents protected by the
4 attorney-client privilege and/or work-product doctrine.

5 Plaintiff further objects that this request is not isolated to a specific time
6 frame.

7 Plaintiff further objects to this request to the extent the requested documents
8 are available to Defendant in its own files or are otherwise in Defendant's
9 possession, custody or control or are readily available to Defendant through its
10 own reasonable search and investigation. Plaintiff also objects to this request to the
11 extent it purports to impose on Plaintiff a burden of identifying documents or
12 providing Defendant with information which are not in Plaintiff's possession,
13 custody, or control or which cannot be found in the course of a reasonable search.
14 This request calls for information which is available to all parties equally or only to
15 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
16 sought material is unreasonably cumulative or duplicative, or is more readily
17 obtainable from some other source, including Defendant's own files, and the party
18 seeking the information has had ample opportunity to obtain it or already does and
19 has refused to produce it in response to Plaintiff's relevant discovery requests.

20 Subject to these objections and without waiving them, Plaintiff responds as
21 follows:

22 Plaintiff further maintains that the vast majority of responsive documents to
23 this request are not in Plaintiff's possession, custody, or control and are instead
24 within the custody, control, and possession of Defendant.

25 Plaintiff alleges that Defendant made most of these types of communications
26 to Plaintiff verbally and Plaintiff is unable to locate any documents that would be
27 responsive to this request at this time. Investigation and discovery are continuing
28

1 and ongoing and if some relevant documents appear Plaintiff will produce them.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 2:**

3 Documents relating to the allegation in paragraph 35 of the SAC that
4 “Plaintiff and Class Members would, on average, spend around 75% of their time
5 modeling for Defendants and 25% of their time on set for filming for
6 Defendants.”.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 2:**

8 Plaintiff objects to this request in that it violates phase one discovery which
9 is only limited to whether Plaintiff was an independent contract and does not
10 involved other class members. Plaintiff further objects on the grounds that it is
11 overbroad as to “75% of their time modeling... and 25% of their time on set of
12 filming” unduly burdensome, oppressive, vague, and ambiguous, as any number of
13 documents could be responsive. This request is further objectionable to the extent
14 it seeks information that is neither relevant to the subject matter of phase one
15 discovery nor reasonably calculated to lead to the discovery of admissible evidence
16 regarding phase one of discovery. This request also fails to reasonably particularize
17 each item or category sought to be produced or inspected. See Code of Civil
18 Procedure § 2031.030(c)(1). Plaintiff further objects to this request to the extent it
19 calls for a legal conclusion as to the documents that might be responsive, and is
20 vague and ambiguous as to the meaning of undefined terms.

21 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
22 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
23 request on the grounds that it seeks information and documents protected by the
24 attorney-client privilege and/or work-product doctrine.

25 Plaintiff further objects to this request to the extent the requested documents
26 are available to Defendant in its own files or are otherwise in Defendant’s
27 possession, custody or control or are readily available to Defendant through its
28

1 own reasonable search and investigation. Plaintiff also objects to this request to the
2 extent it purports to impose on Plaintiff a burden of identifying documents or
3 providing Defendant with information which are not in Plaintiff's possession,
4 custody, or control or which cannot be found in the course of a reasonable search.
5 This request calls for information which is available to all parties equally or only to
6 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
7 sought material is unreasonably cumulative or duplicative, or is more readily
8 obtainable from some other source, including Defendant's own files, and the party
9 seeking the information has had ample opportunity to obtain it or already does and
10 has refused to produce it in response to Plaintiff's relevant discovery requests.

11 Subject to these objections and without waiving them, Plaintiff responds as
12 follows:

13 Plaintiff further maintains that the vast majority of responsive documents to
14 this request are not in Plaintiff's possession, custody, or control and are instead
15 within the custody, control, and possession of Defendant.

16 Plaintiff alleges that Defendant made most of these types of communications
17 to Plaintiff verbally. Plaintiff has not discovered any relevant documents but is
18 still currently looking for documents that may be relevant and will produce those
19 documents that are such if they are found.

20 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 3:**

21 Documents relating to the allegation in paragraph 39 of the SAC that
22 "During the time Plaintiff and Class Members worked for Defendants, Defendants
23 misclassified Plaintiff and Class Members as independent contractors."

24 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 3:**

25 Plaintiff objects to this request in that it violates phase one discovery which
26 is only limited to whether Plaintiff was an independent contract and does not
27 involved other class members. Plaintiff objects to this request on the grounds that it
28

1 is overbroad as to “misclassified,” unduly burdensome, oppressive, vague, and
2 ambiguous, as any number of documents could be responsive. This request is
3 further objectionable to the extent it seeks information that is neither relevant to
4 phase one discovery subject matter of this action nor reasonably calculated to lead
5 to the discovery of admissible evidence in phase one as to class members. This
6 request also fails to reasonably particularize each item or category sought to be
7 produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff
8 further objects to this request to the extent it calls for a legal conclusion as to the
9 documents that might be responsive, and is vague and ambiguous as to the
10 meaning of undefined terms.

11 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
12 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
13 request on the grounds that it seeks information and documents protected by the
14 attorney-client privilege and/or work-product doctrine.

15 Plaintiff further objects to this request to the extent the requested documents
16 are available to Defendant in its own files or are otherwise in Defendant’s
17 possession, custody or control or are readily available to Defendant through its
18 own reasonable search and investigation. Plaintiff also objects to this request to the
19 extent it purports to impose on Plaintiff a burden of identifying documents or
20 providing Defendant with information which are not in Plaintiff’s possession,
21 custody, or control or which cannot be found in the course of a reasonable search.
22 This request calls for information which is available to all parties equally or only to
23 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
24 sought material is unreasonably cumulative or duplicative, or is more readily
25 obtainable from some other source, including Defendant’s own files, and the party
26 seeking the information has had ample opportunity to obtain it or already does and
27 has refused to produce it in response to Plaintiff’s relevant discovery requests.

1 Subject to these objections and without waiving them, Plaintiff responds as
2 follows:

3 Plaintiff further maintains that the vast majority of responsive documents to
4 this request are not in Plaintiff's possession, custody, or control and are instead
5 within the custody, control, and possession of Defendant. After a reasonable search
6 for responsive documents, Plaintiff is unable to locate documents where
7 Defendants admitted to misclassifying Plaintiff as an independent contractor.

8 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 4:**

9 Documents relating to the allegation in paragraph 3 of the SAC that "[t]here
10 were many occasions where the modeling took place on days and times where no
11 adult scenes were performed.

12 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 4:**

13 Plaintiff objects to this request on the grounds that it is overbroad as to
14 "adult scenes," unduly burdensome, oppressive, vague, and ambiguous, as any
15 number of documents could be responsive. This request is further objectionable to
16 the extent it seeks information that is neither relevant to the subject matter of this
17 action nor reasonably calculated to lead to the discovery of admissible evidence.
18 This request also fails to reasonably particularize each item or category sought to
19 be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff
20 further objects to this request to the extent it calls for a legal conclusion as to the
21 documents that might be responsive, and is vague and ambiguous as to the
22 meaning of undefined terms.

23 Plaintiff objects to this request to the extent it invades Plaintiff's right to
24 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
25 request on the grounds that it seeks information and documents protected by the
26 attorney-client privilege and/or work-product doctrine.

27 Plaintiff further objects to this request to the extent the requested documents
28

1 are available to Defendant in its own files or are otherwise in Defendant's
2 possession, custody or control or are readily available to Defendant through its
3 own reasonable search and investigation. Plaintiff also objects to this request to the
4 extent it purports to impose on Plaintiff a burden of identifying documents or
5 providing Defendant with information which are not in Plaintiff's possession,
6 custody, or control or which cannot be found in the course of a reasonable search.
7 This request calls for information which is available to all parties equally or only to
8 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
9 sought material is unreasonably cumulative or duplicative, or is more readily
10 obtainable from some other source, including Defendant's own files, and the party
11 seeking the information has had ample opportunity to obtain it or already does and
12 has refused to produce it in response to Plaintiff's relevant discovery requests.

13 Subject to these objections and without waiving them, Plaintiff responds as
14 follows:

15 Plaintiff further maintains that the vast majority of responsive documents to
16 this request are not in Plaintiff's possession, custody, or control and are instead
17 within the custody, control, and possession of Defendant. After a reasonable search
18 for responsive documents, Plaintiff is unable to locate responsive documents so far
19 but is currently looking through documents and will produce them if discovered.

20 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 5:**

21 Documents relating to the allegations in paragraph 12 of the SAC that
22 "MILLER was physically present during many modeling shoots and on filming
23 days and had a direct role in directing the scenes and choosing outfits Plaintiff and
24 Class Members would wear. For example, MILLER personally invited Plaintiff to
25 Joshua Tree for a modeling shoot and was a decision-maker as to whether she
26 would be paid for this shoot. MILLER was present during this trip and played a
27 part in denying Plaintiff her meal and rest breaks afforded under California law."
28

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 5:

Plaintiff objects to this request in that it violates phase one discovery which is only limited to whether Plaintiff was an independent contract and does not involved other class members. Plaintiff objects to this request on the grounds that it is overbroad as to “physically present”, direct role in directing scene’s, choosing outfits, unduly burdensome, oppressive, vague, and ambiguous, as any number of documents could be responsive. This request is further objectionable to the extent it seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence. This request also fails to reasonably particularize each item or category sought to be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a legal conclusion as to the documents that might be responsive, and is vague and ambiguous as to the meaning of undefined terms.

Plaintiff objects to this request to the extent it invades Plaintiff’s right to privacy, as well as the privacy rights of third parties. Plaintiff also objects to this request on the grounds that it seeks information and documents protected by the attorney-client privilege and/or work-product doctrine.

Plaintiff further objects to this request to the extent the requested documents are available to Defendant in its own files or are otherwise in Defendant’s possession, custody or control or are readily available to Defendant through its own reasonable search and investigation. Plaintiff also objects to this request to the extent it purports to impose on Plaintiff a burden of identifying documents or providing Defendant with information which are not in Plaintiff’s possession, custody, or control or which cannot be found in the course of a reasonable search. This request calls for information which is available to all parties equally or only to Defendant, and is therefore oppressive and burdensome to Plaintiff in that the

1 sought material is unreasonably cumulative or duplicative, or is more readily
2 obtainable from some other source, including Defendant's own files, and the party
3 seeking the information has had ample opportunity to obtain it or already does and
4 has refused to produce it in response to Plaintiff's relevant discovery requests.

5 Subject to these objections and without waiving them, Plaintiff responds as
6 follows:

7 Plaintiff further maintains that the vast majority of responsive documents to
8 this request are not in Plaintiff's possession, custody, or control and are instead
9 within the custody, control, and possession of Defendant. After a reasonable search
10 for responsive documents, Plaintiff will produce those relevant documents within
11 her control. Discovery is ongoing and Plaintiff will amend this response as
12 additional documents are found.

13 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 6:**

14 Documents relating to the allegation in paragraph 12 of the SAC that
15 "MILLER also controlled working conditions of Plaintiff and Class Members."

16 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 6:**

17 Plaintiff objects to this request on the grounds that it is overbroad as to
18 "controlled working conditions," unduly burdensome, oppressive, vague, and
19 ambiguous, as any number of documents could be responsive. This request also
20 fails to reasonably particularize each item or category sought to be produced or
21 inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects
22 to this request to the extent it calls for a legal conclusion as to the documents that
23 might be responsive, and is vague and ambiguous as to the meaning of undefined
24 terms.

25 Plaintiff objects to this request to the extent it invades Plaintiff's right to
26 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
27 request on the grounds that it seeks information and documents protected by the
28

1 attorney-client privilege and/or work-product doctrine.

2 Plaintiff further objects to this request to the extent the requested documents
3 are available to Defendant in its own files or are otherwise in Defendant's
4 possession, custody or control or are readily available to Defendant through its
5 own reasonable search and investigation. Plaintiff also objects to this request to the
6 extent it purports to impose on Plaintiff a burden of identifying documents or
7 providing Defendant with information which are not in Plaintiff's possession,
8 custody, or control or which cannot be found in the course of a reasonable search.
9 This request calls for information which is available to all parties equally or only to
10 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
11 sought material is unreasonably cumulative or duplicative, or is more readily
12 obtainable from some other source, including Defendant's own files, and the party
13 seeking the information has had ample opportunity to obtain it or already does and
14 has refused to produce it in response to Plaintiff's relevant discovery requests.

15 Subject to these objections and without waiving them, Plaintiff responds as
16 follows:

17 Plaintiff further maintains that the vast majority of responsive documents to
18 this request are not in Plaintiff's possession, custody, or control and are instead
19 within the custody, control, and possession of Defendant. After a reasonable search
20 for responsive documents, Plaintiff will produce those relevant documents within
21 her control. Discovery is ongoing and Plaintiff will amend this response as
22 additional documents are found.

23 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 7:**

24 Documents relating to the allegation in paragraph 42 of the SAC that
25 "Defendants believed that Plaintiff had cosmetic surgery done on her buttocks,
26 and as a result of this misguided belief, Defendants refused to pay Plaintiff for a
27
28

1 modeling shoot she already participated in and refused to release any photos taken
2 from that shoot.”.

3 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 7:**

4 Plaintiff objects to this request on the grounds that it is overbroad as to
5 “cosmetic surgery done on her buttocks,” unduly burdensome, oppressive, vague,
6 and ambiguous, as any number of documents could be responsive. This request is
7 further objectionable to the extent it seeks information that is neither relevant to the
8 subject matter of this action nor reasonably calculated to lead to the discovery of
9 admissible evidence. This request also fails to reasonably particularize each item or
10 category sought to be produced or inspected. See Code of Civil Procedure §
11 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
12 legal conclusion as to the documents that might be responsive, and is vague and
13 ambiguous as to the meaning of undefined terms.

14 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
15 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
16 request on the grounds that it seeks information and documents protected by the
17 attorney-client privilege and/or work-product doctrine.

18 Plaintiff further objects to this request to the extent the requested documents
19 are available to Defendant in its own files or are otherwise in Defendant’s
20 possession, custody or control or are readily available to Defendant through its
21 own reasonable search and investigation. Plaintiff also objects to this request to the
22 extent it purports to impose on Plaintiff a burden of identifying documents or
23 providing Defendant with information which are not in Plaintiff’s possession,
24 custody, or control or which cannot be found in the course of a reasonable search.
25 This request calls for information which is available to all parties equally or only to
26 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
27 sought material is unreasonably cumulative or duplicative, or is more readily
28

1 obtainable from some other source, including Defendant's own files, and the party
2 seeking the information has had ample opportunity to obtain it or already does and
3 has refused to produce it in response to Plaintiff's relevant discovery requests.

4 Subject to these objections and without waiving them, Plaintiff responds as
5 follows:

6 Plaintiff further maintains that the vast majority of responsive documents to
7 this request are not in Plaintiff's possession, custody, or control and are instead
8 within the custody, control, and possession of Defendant. After a reasonable search
9 for responsive documents, Plaintiff will produce those relevant documents within
10 her control. Discovery is ongoing and Plaintiff will amend this response as
11 additional documents are found.

12 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 8:**

13 Documents relating to the allegation in paragraph 43 of the SAC that
14 "Plaintiff was infected with Monkey Pox. Defendants were fully aware of
15 Plaintiff's ailment, yet they still demanded her to work for Defendants on that day.
16 When Plaintiff refused to work, Defendants informed Plaintiff that there she
17 would face consequences for this refusal." (sic).

18 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 8:**

19 Plaintiff objects to this request on the grounds that it is overbroad as to
20 "Monkey Pox, ailment, face consequences," unduly burdensome, oppressive,
21 vague, and ambiguous, as any number of documents could be responsive. This
22 request is further objectionable to the extent it seeks information that is neither
23 relevant to the subject matter of this action nor reasonably calculated to lead to the
24 discovery of admissible evidence. This request also fails to reasonably particularize
25 each item or category sought to be produced or inspected. See Code of Civil
26 Procedure § 2031.030(c)(1). Plaintiff further objects to this request to the extent it
27 calls for a legal conclusion as to the documents that might be responsive, and is
28

1 vague and ambiguous as to the meaning of undefined terms.

2 Plaintiff objects to this request to the extent it invades Plaintiff's right to
3 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
4 request on the grounds that it seeks information and documents protected by the
5 attorney-client privilege and/or work-product doctrine.

6 Plaintiff further objects to this request to the extent the requested documents
7 are available to Defendant in its own files or are otherwise in Defendant's
8 possession, custody or control or are readily available to Defendant through its
9 own reasonable search and investigation. Plaintiff also objects to this request to the
10 extent it purports to impose on Plaintiff a burden of identifying documents or
11 providing Defendant with information which are not in Plaintiff's possession,
12 custody, or control or which cannot be found in the course of a reasonable search.
13 This request calls for information which is available to all parties equally or only to
14 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
15 sought material is unreasonably cumulative or duplicative, or is more readily
16 obtainable from some other source, including Defendant's own files, and the party
17 seeking the information has had ample opportunity to obtain it or already does and
18 has refused to produce it in response to Plaintiff's relevant discovery requests.

19 Subject to these objections and without waiving them, Plaintiff responds as
20 follows:

21 Plaintiff further maintains that the vast majority of responsive documents to
22 this request are not in Plaintiff's possession, custody, or control and are instead
23 within the custody, control, and possession of Defendant. After a reasonable search
24 for responsive documents, Plaintiff will produce those relevant documents within
25 her control. Discovery is ongoing and Plaintiff will supplement this response as
26 additional documents are found.

27 ///

1 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 9:**

2 Documents relating to your employment with Defendants at any time from
3 January 1, 2019 through December 31, 2022, including but not limited to
4 employment applications and agreements, training materials, employee handbooks
5 and manuals, job descriptions, workplace rules, policies, and procedures,
6 performance reviews, self-evaluations, meeting notes, discipline and termination
7 notices for other employees, memos, journals, notes, calendars, goals, task lists,
8 and communications with employees, customers, clients, and vendors.

9 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 9:**

10 Plaintiff objects to this request on the grounds that it is overbroad as to
11 “documents related to your employment with Defendants at any time from January
12 1, 2019 through December 31, 2022, memos, journals, notes, calendars, goals, task
13 lists, and communications” unduly burdensome, oppressive, vague, and
14 ambiguous, as any number of documents could be responsive. This request is
15 further objectionable to the extent it seeks information that is neither relevant to the
16 subject matter of this action nor reasonably calculated to lead to the discovery of
17 admissible evidence. This request also fails to reasonably particularize each item or
18 category sought to be produced or inspected. See Code of Civil Procedure §
19 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
20 legal conclusion as to the documents that might be responsive, and is vague and
21 ambiguous as to the meaning of undefined terms. Plaintiff further objects that the
22 request is compound and any number of items could be responsive.

23 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
24 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
25 request on the grounds that it seeks information and documents protected by the
26 attorney-client privilege and/or work-product doctrine.

27 Plaintiff further objects to this request as it violates the one discovery order.
28

1 Plaintiff further objects to this request to the extent the requested documents
2 are available to Defendant in its own files or are otherwise in Defendant's
3 possession, custody or control or are readily available to Defendant through its
4 own reasonable search and investigation. Plaintiff also objects to this request to the
5 extent it purports to impose on Plaintiff a burden of identifying documents or
6 providing Defendant with information which are not in Plaintiff's possession,
7 custody, or control or which cannot be found in the course of a reasonable search.
8 This request calls for information which is available to all parties equally or only to
9 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
10 sought material is unreasonably cumulative or duplicative, or is more readily
11 obtainable from some other source, including Defendant's own files, and the party
12 seeking the information has had ample opportunity to obtain it or already does and
13 has refused to produce it in response to Plaintiff's relevant discovery requests.

14 Notwithstanding Plaintiff's objections, Plaintiff responds as follows:

15 Plaintiff further maintains that the vast majority of responsive documents to
16 this request are not in Plaintiff's possession, custody, or control and are instead
17 within the custody, control, and possession of Defendant.

18 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 10:**

19 Documents in which you characterize the position, duties, authority, or
20 responsibilities you had during the periods in which you provided services to
21 Defendants, including but not limited to all versions of your resume, applications
22 for employment, cover letters, reference letters, job inquiries, employment
23 agreements, contracts, proposals, job search postings, resignation notices, social
24 media profiles and posts (including on X, Instagram, and, Facebook), and
25 communications with any employer or prospective employer.

26 ///

27 ///

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.

10:

Plaintiff objects to this request on the grounds that it is vague, unduly burdensome, harassing, and oppressive. Next, Plaintiff further objects to this request on the grounds that it is impermissibly vague, ambiguous and overbroad as to every undefined term in the request as “characterize the position, duties, authority, or responsibilities you had” is so overly vague that Plaintiff is unable to ascertain what documents Defendant is seeking with any sense of particularity. Moreover, the terminology is confusing as Plaintiff does not understand it as stated. Plaintiff further objects to this request on the grounds it is not stated with reasonable particularity. Plaintiff also objects that such a request seeks information and/or documents that neither relevant to the claims alleged in the instant action nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Plaintiff objects to this request on the grounds that the requested information and/or documents would violate Plaintiff’s right to privacy. Plaintiff further objects to this request to the extent it calls for information and/or documents in violation of the attorney work- product doctrine and/or attorney-client privilege. Plaintiff objects to this request on the basis that it would violate the privacy rights of third parties.

Plaintiff further objects to this request as it has no definite time period and therefore exceeds the scope of phase one discovery.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 11:

To the extent not produced in response to Document Request No. 10, documents relating to your efforts to find work, as either an employee or independent contractor, at any time from January 1, 2019 through December 31, 2022, including but not limited to all versions of your resume, applications for employment, cover letters, reference letters, job inquiries, offers of employment,

1 employment agreements, contracts, proposals, job advertisements and postings,
2 termination notices, resignation notices, rejection letters, social media profiles and
3 posts (including on X, Instagram, and Facebook), and communications with any
4 employer or prospective employer.

5 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**

6 **11:**

7 Plaintiff objects to this request on the grounds that it is vague, unduly
8 burdensome, harassing, and oppressive. Next, Plaintiff further objects to this
9 request on the grounds that it is impermissibly vague, ambiguous and overbroad as
10 to every undefined term in the request as “employee or independent contractor,
11 resume, applications for employment, cover letters, reference letters, job inquiries,
12 offers of employment, contracts, proposals, job advertisements, social media
13 profiles, posts, notices, communications” are so overly vague that Plaintiff is
14 unable to ascertain what documents Defendant is seeking with any sense of
15 particularity. Plaintiff also objects that such a request seeks information and/or
16 documents that neither relevant to the claims alleged in the instant action nor
17 reasonably calculated to lead to the discovery of admissible evidence. Moreover,
18 Plaintiff objects to this request on the grounds that the requested information
19 and/or documents would violate Plaintiff’s right to privacy. Plaintiff further objects
20 to this request to the extent it calls for information and/or documents in violation of
21 the attorney work- product doctrine and/or attorney-client privilege. Plaintiff
22 objects to this request on the basis that it would violate the privacy rights of third
23 parties.

24 Subject to these objections and without waiving them, Plaintiff responds as
25 follows:

26 Plaintiff will only provide documents associated with job titles and positions
27 she has held from November 2020 to December 31, 2022.

1 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 12:**

2 Documents relating to each type of compensation, reimbursement, or
3 benefits you were offered, eligible for, or received from Defendant at any time
4 from January 1, 2019 through December 31, 2022, including but not limited to
5 wages, salary, overtime pay, premium pay, bonuses, pay increases, awards,
6 expense reimbursement, gifts, stock grants or options, profit-sharing, retirement
7 plan participation, 401(k) matching, insurance coverage, tuition reimbursement,
8 business association dues, paid time off, meals, lodging, and use of a company
9 vehicle. Responsive documents include but are not limited to offer letters,
10 employment agreements or contracts, paychecks, pay stubs, invoices, bills,
11 receipts, expense reports, enrollment forms, and Form W-2s..

12 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
13 **12:**

14 Plaintiff objects to this request on the grounds that it is overbroad and vague
15 as to every undefined term but particularly to “wages, salary, overtime pay,
16 premium pay, bonuses, awards, gifts, profit sharing, business association dues,
17 lodging, letters, employment agreements, contracts, expense reports, enrollment
18 forms,” unduly burdensome, oppressive, vague, and ambiguous, as any number of
19 documents could be responsive. This request is further objectionable to the extent
20 it seeks information that is neither relevant to the subject matter of this action nor
21 reasonably calculated to lead to the discovery of admissible evidence. This request
22 also fails to reasonably particularize each item or category sought to be produced
23 or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further
24 objects to this request to the extent it calls for a legal conclusion as to the
25 documents that might be responsive, and is vague and ambiguous as to the
26 meaning of undefined terms.

27 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
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1 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
2 request on the grounds that it seeks information and documents protected by the
3 attorney-client privilege and/or work-product doctrine.

4 Plaintiff further objects to this request to the extent the requested documents
5 are available to Defendant in its own files or are otherwise in Defendants
6 possession, custody or control or are readily available to Defendants through its
7 own reasonable search and investigation. Plaintiff also objects to this request to the
8 extent it purports to impose on Plaintiff a burden of identifying documents or
9 providing Defendant with information which are not in Plaintiff's possession,
10 custody, or control or which cannot be found in the course of a reasonable search.
11 This request calls for information which is available to all parties equally or only to
12 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
13 sought material is unreasonably cumulative or duplicative, or is more readily
14 obtainable from some other source, including Defendant's own files, and the party
15 seeking the information has had ample opportunity to obtain it or already does and
16 has refused to produce it in response to Plaintiff's relevant discovery requests.

17 Subject to these objections and without waiving them, Plaintiff responds as
18 follows:

19 Plaintiff further maintains that the vast majority of responsive documents to
20 this request are not in Plaintiff's possession, custody, or control and are instead
21 within the custody, control, and possession of Defendant. After a diligent search
22 for responsive, non-privileged documents in her possession custody and control,
23 Plaintiff was unable to locate any documents that would be responsive to this
24 request.

25 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 13:**

26 Documents or communications between you and any person or entity (other
27 than your attorney) from January 1, 2019, through the present date, relating to the
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1 allegations in the Complaint that you were misclassified as an independent
2 contractor, including but not limited to correspondence, emails, handwritten notes,
3 memos, recordings, journal entries, and communications with any government
4 agency.

5 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**

6 **13:**

7 Plaintiff objects to this request on the grounds that it is vague as to the terms
8 “between you and any person or entity,” unduly burdensome, harassing, and
9 oppressive. Next, Plaintiff further objects to this request on the grounds that it is
10 impermissibly vague, ambiguous and overbroad. Plaintiff is unable to ascertain
11 what documents Defendant is seeking with any sense of particularity. Moreover,
12 the terminology is confusing as Plaintiff does not understand it as stated. Plaintiff
13 further objects to this request on the grounds it is not stated with reasonable
14 particularity. Plaintiff also objects that such a request seeks information and/or
15 documents that neither relevant to the claims alleged in the instant action nor
16 reasonably calculated to lead to the discovery of admissible evidence. Moreover,
17 Plaintiff objects to this request on the grounds that the requested information
18 and/or documents would violate Plaintiff’s right to privacy. Plaintiff further objects
19 to this request to the extent it calls for information and/or documents in violation
20 of the attorney work- product doctrine and/or attorney-client privilege. Plaintiff
21 objects to this request on the basis that it would violate the privacy rights of third
22 parties.

23 After a diligent search for responsive, non-privileged documents in her
24 possession custody and control, Plaintiff was unable to locate any documents that
25 would be responsive to this request.

26 ///

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1 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 14:**

2 Social media postings relating to the allegations in the Complaint that you
3 were misclassified as an independent contractor, including but not limited to
4 postings on Facebook, X, YouTube, Instagram, Snapchat, blogs, wikis, and other
5 social media sites.

6 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
7 **14:**

8 Plaintiff objects to this request on the grounds that it is vague as to the terms
9 “social media postings, other social media sites” unduly burdensome, harassing,
10 and oppressive. Next, Plaintiff further objects to this request on the grounds that it
11 is impermissibly vague, ambiguous and overbroad as to the same terms. Plaintiff is
12 unable to ascertain what documents Defendant is seeking with any sense of
13 particularity. Moreover, the terminology is confusing as Plaintiff does not
14 understand it as stated. Plaintiff further objects to this request on the grounds it is
15 not stated with reasonable particularity. Plaintiff also objects that such a request
16 seeks information and/or documents that neither relevant to the claims alleged in
17 the instant action nor reasonably calculated to lead to the discovery of admissible
18 evidence. Moreover, Plaintiff objects to this request on the grounds that the
19 requested information and/or documents would violate Plaintiff’s right to privacy.
20 Plaintiff further objects to this request to the extent it calls for information and/or
21 documents in violation of the attorney work- product doctrine and/or attorney-
22 client privilege. Plaintiff objects to this request on the basis that it would violate
23 the privacy rights of third parties.

24 Subject to these objections and without waiving them, Plaintiff responds as
25 follows:

26 After a diligent search for responsive, non-privileged documents in her
27 possession custody and control, Plaintiff was unable to locate any documents that
28

1 would be responsive to this request.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 15:**

3 Documents relating to any admission you contend Defendants have made at
4 any time from January 1, 2019, through the present date in relation to the
5 allegations in the Complaint that you were misclassified as an independent
6 contractor.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
8 **15:**

9 Plaintiff objects to this request on the grounds that it is overbroad and vague
10 as to “any admissions”, unduly burdensome, oppressive, vague, and ambiguous, as
11 any number of documents could be responsive. This request also fails to
12 reasonably particularize each item or category sought to be produced or inspected.
13 See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this
14 request to the extent it calls for a legal conclusion as to the documents that might
15 be responsive, and is vague and ambiguous as to the meaning of undefined terms.

16 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
17 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
18 request on the grounds that it seeks information and documents protected by the
19 attorney-client privilege and/or work-product doctrine.

20 Plaintiff further objects to this request to the extent the requested documents
21 are available to Defendant in its own files or are otherwise in Defendant’s
22 possession, custody or control or are readily available to Defendant through its
23 own reasonable search and investigation. Plaintiff also objects to this request to the
24 extent it purports to impose on Plaintiff a burden of identifying documents or
25 providing Defendant with information which are not in Plaintiff’s possession,
26 custody, or control or which cannot be found in the course of a reasonable search.
27 This request calls for information which is available to all parties equally or only to
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1 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
2 sought material is unreasonably cumulative or duplicative, or is more readily
3 obtainable from some other source, including Defendant's own files, and the party
4 seeking the information has had ample opportunity to obtain it or already does and
5 has refused to produce it in response to Plaintiff's relevant discovery requests.

6 Subject to these objections and without waiving them, Plaintiff responds as
7 follows:

8 After a diligent search for responsive, non-privileged documents in her
9 possession custody and control, Plaintiff was unable to locate any documents that
10 would be responsive to this request.

11 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 16:**

12 Documents evidencing or relating to any facts you believe or contend refute
13 or contradict Defendants' contention that you were a professional actress within
14 the meaning of Industrial Wage Order 12 during the period in which you provided
15 services to Defendants.

16 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
17 **16:**

18 Plaintiff objects to this request on the grounds that it is overbroad as to
19 "believe or content refuse of contracdict", unduly burdensome, oppressive, vague,
20 and ambiguous, as any number of documents could be responsive. This request is
21 further objectionable to the extent it seeks information that is neither relevant to the
22 subject matter of this action nor reasonably calculated to lead to the discovery of
23 admissible evidence. This request also fails to reasonably particularize each item or
24 category sought to be produced or inspected. See Code of Civil Procedure §
25 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
26 legal conclusion as to the documents that might be responsive, and is vague and
27 ambiguous as to the meaning of undefined terms.

1 Plaintiff objects to this request to the extent it invades Plaintiff's right to
2 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
3 request on the grounds that it seeks information and documents protected by the
4 attorney-client privilege and/or work-product doctrine.

5 Plaintiff further objects to this request to the extent the requested documents
6 are available to Defendant in its own files or are otherwise in Defendant's
7 possession, custody or control or are readily available to Defendant through its
8 own reasonable search and investigation. Plaintiff also objects to this request to the
9 extent it purports to impose on Plaintiff a burden of identifying documents or
10 providing Defendant with information which are not in Plaintiff's possession,
11 custody, or control or which cannot be found in the course of a reasonable search.
12 This request calls for information which is available to all parties equally or only to
13 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
14 sought material is unreasonably cumulative or duplicative, or is more readily
15 obtainable from some other source, including Defendant's own files, and the party
16 seeking the information has had ample opportunity to obtain it or already does and
17 has refused to produce it in response to Plaintiff's relevant discovery requests.

18 Subject to these objections and without waiving them, Plaintiff responds as
19 follows:

20 After a diligent search for responsive, non-privileged documents in her
21 possession custody and control, Plaintiff was unable to locate any documents that
22 would be responsive to this request which label her as a "professional actress."
23 Plaintiff is unsure if a document exists, in the form of a contract between Plaintiff
24 and Defendant that would be responsive to this request, but said contract is not in
25 Plaintiff's possession or control.

26 ///

27 ///

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 17:

All documents you intend to use as exhibits in this Action in support of your contention that you were misclassified as an independent contractor.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 17:

Plaintiff objects to this request on the grounds that it is overbroad as to “exhibits”, unduly burdensome, oppressive, vague, and ambiguous, as any number of documents could be responsive. This request is further objectionable to the extent it seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence. This request also fails to reasonably particularize each item or category sought to be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a legal conclusion as to the documents that might be responsive, and is vague and ambiguous as to the meaning of undefined terms.

Plaintiff objects to this request to the extent it invades Plaintiff’s right to privacy, as well as the privacy rights of third parties. Plaintiff also objects to this request on the grounds that it seeks information and documents protected by the attorney-client privilege and/or work-product doctrine.

Plaintiff further objects to this request to the extent that some of the requested documents are available to Defendant in its own files or are otherwise in Defendant’s possession, custody or control or are readily available to Defendant through its own reasonable search and investigation. Plaintiff also objects to this request to the extent it purports to impose on Plaintiff a burden of identifying documents or providing Defendant with information which may not be in Plaintiff’s possession, custody, or control or which cannot be found in the course of a reasonable search, but which are in Defendants control and authority. This

1 request, in part, calls for information which is available to all parties equally or
2 only to Defendants, and is therefore oppressive and burdensome to Plaintiff in that
3 the sought material is unreasonably cumulative or duplicative.

4 Subject to these objections and without waiving them, Plaintiff responds as
5 follows:

6 Plaintiff has already responded to this request throughout the other requests
7 for which Plaintiff has responded to and provided documents associated with.
8 Discovery is ongoing and Plaintiff reserves the right to amend this request upon
9 discovering additional information which may be responsive to an already
10 produced discovery request.

11 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 18:**

12 Documents relating to each expert you intend to call as a witness at trial in
13 this Action in support of your contention that you were misclassified as an
14 independent contractor, including but not limited to documents and
15 communications sent to or received from each expert, resumes, curriculum vitae,
16 oral or written reports, and any supporting data or information.

17 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
18 **18:**

19 Plaintiff objects to this request on the grounds that it is overbroad as to
20 “expert and witness,” not to mention the other undefined terms, unduly
21 burdensome, oppressive, vague, and ambiguous, as any number of documents
22 could be responsive. This request is further objectionable to the extent it seeks
23 information that is neither relevant to the subject matter of this action nor
24 reasonably calculated to lead to the discovery of admissible evidence. This request
25 also fails to reasonably particularize each item or category sought to be produced
26 or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further
27 objects to this request to the extent it calls for a legal conclusion as to the
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1 documents that might be responsive, and is vague and ambiguous as to the
2 meaning of undefined terms.

3 Plaintiff objects to this request to the extent it invades Plaintiff's right to
4 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
5 request on the grounds that it seeks information and documents protected by the
6 attorney-client privilege and/or work-product doctrine.

7 Notwithstanding said objections, Plaintiff responds as follows:

8 Plaintiff has not yet identified any experts whom Plaintiff intends to call as a
9 witness at the trial of this action.

10 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 19:**

11 All affidavits, sworn statements, notes, and other documents sent to,
12 received from, or otherwise relating to any person you intend to call as a witness
13 at trial, either in person, through deposition testimony, or through an affidavit
14 regarding your contention that you were misclassified as an independent
15 contractor.

16 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
17 **19:**

18 Plaintiff objects to this request on the grounds that it is overbroad as to
19 "affidavits, swon statements, notes, and other documents sent to, received from, or
20 otherwise relating to any person you intend to call as a witness at trial", unduly
21 burdensome, oppressive, vague, and ambiguous, as any number of documents
22 could be responsive. This request is further objectionable to the extent it seeks
23 information that is neither relevant to the subject matter of this action nor
24 reasonably calculated to lead to the discovery of admissible evidence. This request
25 also fails to reasonably particularize each item or category sought to be produced
26 or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further
27 objects to this request to the extent it calls for a legal conclusion as to the
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1 documents that might be responsive, and is vague and ambiguous as to the
2 meaning of undefined terms.

3 Plaintiff objects to this request to the extent it invades Plaintiff's right to
4 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
5 request on the grounds that it seeks information and documents protected by the
6 attorney-client privilege and/or work-product doctrine.

7 Notwithstanding said objections, Plaintiff responds as follows:

8 Plaintiff has not yet begun to prepare for trial and has nothing that could
9 potentially be responsive to this request at this time.

10 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 20:**

11 All documents you referred to, relied upon, consulted, or used in any way to
12 draft the Complaint's allegations that you were misclassified as an independent
13 contractor.

14 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
15 **20:**

16 Plaintiff objects to this request on the grounds that it is overbroad as to
17 "relied upon, consulted, or used in any way to draft", unduly burdensome,
18 oppressive, vague, and ambiguous, as any number of documents could be
19 responsive. This request is further objectionable to the extent it seeks information
20 that is neither relevant to the subject matter of this action nor reasonably calculated
21 to lead to the discovery of admissible evidence. This request also fails to
22 reasonably particularize each item or category sought to be produced or inspected.
23 See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this
24 request to the extent it calls for a legal conclusion as to the documents that might
25 be responsive, and is vague and ambiguous as to the meaning of undefined terms.

26 Plaintiff objects to this request to the extent it invades Plaintiff's right to
27 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
28

1 request on the grounds that it seeks information and documents protected by the
2 attorney-client privilege and/or work-product doctrine.

3 Notwithstanding Plaintiff's Objections, Plaintiff responds as follows:

4 After a reasonable search for responsive documents, Plaintiff will produce
5 documents that are responsive to this request.

6 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 21:**

7 Documents or communications between you and any current or former
8 representative or employee of MOTLEY relating to any solicitation, agreement, or
9 engagement to provide services to Defendants.

10 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
11 **21:**

12 Plaintiff objects to this request on the grounds that it is overbroad as to
13 "solicitation, agreement, or engaged to provide services", unduly burdensome,
14 oppressive, vague, and ambiguous, as any number of documents could be
15 responsive. This request is further objectionable to the extent it seeks information
16 that is neither relevant to the subject matter of this action nor reasonably calculated
17 to lead to the discovery of admissible evidence. This request also fails to
18 reasonably particularize each item or category sought to be produced or inspected.
19 See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this
20 request to the extent it calls for a legal conclusion as to the documents that might
21 be responsive, and is vague and ambiguous as to the meaning of undefined terms.
22 Plaintiff also objects that this request has no start and end date and therefore is
23 unrelated to the limited scope of phase one discovery.

24 Plaintiff objects to this request as it is not limited to any specific point in
25 time.

26 Notwithstanding Plaintiff's Objections, Plaintiff responds as follows:

27 After a reasonable search for responsive documents, Plaintiff will produce
28

1 documents that are responsive to this request.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 22:**

3 Documents or communications between you and any current or former
4 representative or employee of MOTLEY relating to any solicitation, agreement, or
5 engagement to provide services to any other film production entity at any time
6 from January 1, 2019, to December 31, 2022.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
8 **22:**

9 Plaintiff objects to this request on the grounds that it is overbroad as to “any
10 solicitation, agreement, or engagement to provide services to any other film
11 production entity”, unduly burdensome, oppressive, vague, and ambiguous, as any
12 number of documents could be responsive. This request is further objectionable to
13 the extent it seeks information that is neither relevant to the subject matter of this
14 action nor reasonably calculated to lead to the discovery of admissible evidence.
15 This request also fails to reasonably particularize each item or category sought to
16 be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff
17 further objects to this request to the extent it calls for a legal conclusion as to the
18 documents that might be responsive, and is vague and ambiguous as to the
19 meaning of undefined terms. Plaintiff further objects to this request that by asking
20 for any documents and communications it exceeds the limited scope of phase one
21 discovery as any multitude of documents that may be responsive are outside the
22 scope allowable for phase one discovery.

23 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
24 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
25 request on the grounds that it seeks information and documents protected by the
26 attorney-client privilege and/or work-product doctrine.

27 Plaintiff objects to this request as it is not limited to any specific point in
28

1 time.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 23:**

3 Documents or communications between you and APPLEBAUM relating to
4 any solicitation, agreement, or engagement to provide services to Defendants and
5 any other film production entity at any time from January 1, 2019, to December
6 31, 2022.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
8 **23:**

9 Plaintiff objects to this request on the grounds that it is overbroad as to
10 “relating to any solicitation, agreement, or engagement to provide services”,
11 unduly burdensome, oppressive, vague, and ambiguous, as any number of
12 documents could be responsive. This request is further objectionable to the extent
13 it seeks information that is neither relevant to the subject matter of this action nor
14 reasonably calculated to lead to the discovery of admissible evidence. This request
15 also fails to reasonably particularize each item or category sought to be produced
16 or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further
17 objects to this request to the extent it calls for a legal conclusion as to the
18 documents that might be responsive, and is vague and ambiguous as to the
19 meaning of undefined terms. Plaintiff further objects to this request that by asking
20 for any documents and communications it exceeds the limited scope of phase one
21 discovery as any multitude of documents that may be responsive are outside the
22 scope allowable for phase one discovery.

23 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
24 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
25 request on the grounds that it seeks information and documents protected by the
26 attorney-client privilege and/or work-product doctrine.

27 Plaintiff objects to this request as it is not limited to any specific point in
28

1 time.

2 Notwithstanding Plaintiff's Objections, Plaintiff responds as follows:

3 After a reasonable search for responsive documents, Plaintiff has not
4 identified any documents that would be responsive at this time but investigation
5 is ongoing and Plaintiff will supplement these responses if relevant documents
6 are discovered.

7 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 24:**

8 To the extent not produced in response to Document Request Nos. 22 and
9 23, documents related to any other work you performed for other clients or
10 companies at any time from January 1, 2019, to December 31, 2022, including
11 contracts, invoices, and payment records.

12 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
13 **24:**

14 Plaintiff objects to this request on the grounds that it is overbroad as to "any
15 other work you performed for other clients or companies", unduly burdensome,
16 oppressive, vague, and ambiguous, as any number of documents could be
17 responsive. This request is further objectionable to the extent it seeks information
18 that is neither relevant to the subject matter of this action nor reasonably calculated
19 to lead to the discovery of admissible evidence. This request also fails to
20 reasonably particularize each item or category sought to be produced or inspected.
21 See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this
22 request to the extent it calls for a legal conclusion as to the documents that might
23 be responsive, and is vague and ambiguous as to the meaning of undefined terms.
24 Plaintiff further objects that the scope of this request exceeds the allowable scope
25 of discovery under phase one.

26 Plaintiff objects to this request to the extent it invades Plaintiff's right to
27 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
28

1 request on the grounds that it seeks information and documents protected by the
2 attorney-client privilege and/or work-product doctrine.

3 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 25:**

4 Business registration documents related to any business entity you owned
5 or in which you had an ownership stake at any time from January 1, 2019, to
6 December 31, 2022.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
8 **25:**

9 Plaintiff objects to this request on the grounds that it is overbroad as to
10 “business registration documents, any business entity you owned”, unduly
11 burdensome, oppressive, vague, and ambiguous, as any number of documents
12 could be responsive. This request is further objectionable to the extent it seeks
13 information that is neither relevant to the subject matter of this action nor
14 reasonably calculated to lead to the discovery of admissible evidence. This request
15 also fails to reasonably particularize each item or category sought to be produced
16 or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further
17 objects to this request to the extent it calls for a legal conclusion as to the
18 documents that might be responsive, and is vague and ambiguous as to the
19 meaning of undefined terms. Plaintiff further objects that the scope of this request
20 exceeds the allowable scope of discovery under phase one.

21 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
22 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
23 request on the grounds that it seeks information and documents protected by the
24 attorney-client privilege and/or work-product doctrine.

25 Notwithstanding Plaintiff’s Objections, Plaintiff responds as follows:

26 This is going to be produced via Defendant’s subpoena to Larry Lerner.
27 Plaintiff does not presently have any documents that would be responsive to this
28

1 request. Discovery is ongoing and Plaintiff reserves the right to amend this
2 response at a later date if this information changes.

3 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 26:**

4 Schedule C (Form 1040) tax filings related to any business entity you
5 owned or in which you had an ownership stake at any time from January 1, 2019,
6 to December 31, 2022.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
8 **26:**

9 Plaintiff objects to this request on the grounds that it is overbroad as to “any
10 business entity”, unduly burdensome, oppressive, vague, and ambiguous, as any
11 number of documents could be responsive. This request is further objectionable to
12 the extent it seeks information that is neither relevant to the subject matter of this
13 action nor reasonably calculated to lead to the discovery of admissible evidence.
14 This request also fails to reasonably particularize each item or category sought to
15 be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff
16 further objects to this request to the extent it calls for a legal conclusion as to the
17 documents that might be responsive, and is vague and ambiguous as to the
18 meaning of undefined terms. Plaintiff further objects that the scope of this request
19 exceeds the allowable scope of discovery under phase one.

20 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
21 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
22 request on the grounds that it seeks information and documents protected by the
23 attorney-client privilege and/or work-product doctrine.

24 Notwithstanding Plaintiff’s Objections, Plaintiff responds as follows:

25 This is going to be produced via Defendant’s subpoena to Larry Lerner.
26 Plaintiff does not presently have any documents that would be responsive to this
27 request. Discovery is ongoing and Plaintiff reserves the right to amend this
28

1 response at a later date if this information changes.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 27:**

3 To the extent not produced in response to Document Request No. 26,
4 documents related to any deductions you made on your tax filings for yourself or
5 any business entity you own or have owned at any time from January 1, 2019, to
6 December 31, 2022.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
8 **27:**

9 Plaintiff objects to this request on the grounds that it is overbroad as to “any
10 business entity”, unduly burdensome, oppressive, vague, and ambiguous, as any
11 number of documents could be responsive. This request is further objectionable to
12 the extent it seeks information that is neither relevant to the subject matter of this
13 action nor reasonably calculated to lead to the discovery of admissible evidence.
14 This request also fails to reasonably particularize each item or category sought to
15 be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff
16 further objects to this request to the extent it calls for a legal conclusion as to the
17 documents that might be responsive, and is vague and ambiguous as to the
18 meaning of undefined terms. Plaintiff further objects that the scope of this request
19 exceeds the allowable scope of discovery under phase one.

20 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
21 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
22 request on the grounds that it seeks information and documents protected by the
23 attorney-client privilege and/or work-product doctrine.

24 Notwithstanding Plaintiff’s Objections, Plaintiff responds as follows:

25 This is going to be produced via Defendant’s subpoena to Larry Lerner.
26 Plaintiff does not presently have any documents that would be responsive to this
27 request. Discovery is ongoing and Plaintiff reserves the right to amend this
28

1 response at a later date if this information changes.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 28:**

3 Documents related to any training, instructions, or guidance provided to
4 you by Defendants regarding how to perform the work and services you provided
5 to Defendants.

6 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
7 **28:**

8 Plaintiff objects to this request on the grounds that it is overbroad as to
9 “training, instructions, or guidance”, unduly burdensome, oppressive, vague, and
10 ambiguous, as any number of documents could be responsive. This request is
11 further objectionable to the extent it seeks information that is neither relevant to the
12 subject matter of this action nor reasonably calculated to lead to the discovery of
13 admissible evidence. This request also fails to reasonably particularize each item or
14 category sought to be produced or inspected. See Code of Civil Procedure §
15 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
16 legal conclusion as to the documents that might be responsive, and is vague and
17 ambiguous as to the meaning of undefined terms.

18 Plaintiff objects to this request to the extent it invades Plaintiff’s right to
19 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
20 request on the grounds that it seeks information and documents protected by the
21 attorney-client privilege and/or work-product doctrine.

22 Plaintiff further objects to this request to the extent the requested documents
23 are available to Defendant in its own files or are otherwise in Defendant’s
24 possession, custody or control or are readily available to Defendant through its
25 own reasonable search and investigation. Plaintiff also objects to this request to the
26 extent it purports to impose on Plaintiff a burden of identifying documents or
27 providing Defendant with information which are not in Plaintiff’s possession,
28

1 custody, or control or which cannot be found in the course of a reasonable search.
2 This request calls for information which is available to all parties equally or only to
3 Defendant, and is therefore oppressive and burdensome to Plaintiff in that the
4 sought material is unreasonably cumulative or duplicative, or is more readily
5 obtainable from some other source, including Defendant's own files, and the party
6 seeking the information has had ample opportunity to obtain it or already does and
7 has refused to produce it in response to Plaintiff's relevant discovery requests.

8 Subject to these objections and without waiving them, Plaintiff responds as
9 follows:

10 Plaintiff further maintains that the vast majority of responsive documents to
11 this request are not in Plaintiff's possession, custody, or control and are instead
12 within the custody, control, and possession of Defendant. Defendant has not yet
13 responded to Plaintiff's first set of discovery which may produce documents
14 responsive to this request as Plaintiff's request is comprehensive and encompass
15 the subject matter of this request.

16 Defendant, including its managers, are in possession of records related to
17 Plaintiff's employment with Defendant. After a diligent search for responsive, non-
18 privileged documents in her possession custody and control, Plaintiff was unable to
19 locate any documents that would be responsive to this request.

20 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 29:**

21 Documents related to the production, distribution, and advertising of any
22 audiovisual content intended for commercial distribution that you (including any
23 business entity you own or have owned) produced, financed (in whole or in part),
24 or otherwise participated in at any time from January 1, 2019, to December 31,
25 2022.

26 ///

27 ///

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.

29:

Plaintiff objects to this request on the grounds that it is overbroad “production, distribution, and advertising of any audiovisual content”, unduly burdensome, oppressive, vague, and ambiguous, as any number of documents could be responsive. This request is further objectionable to the extent it seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence. This request also fails to reasonably particularize each item or category sought to be produced or inspected. See Code of Civil Procedure § 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a legal conclusion as to the documents that might be responsive, and is vague and ambiguous as to the meaning of undefined terms.

Plaintiff objects to this request to the extent it invades Plaintiff’s right to privacy, as well as the privacy rights of third parties. Plaintiff also objects to this request on the grounds that it seeks information and documents protected by the attorney-client privilege and/or work-product doctrine.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 30:

Documents or communications between you and SUMMER, including communications relating to THIS MATTER, the work you performed for VXN, your experiences working for VXN, and legal claims that you may have against Defendants.

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.

30:

Plaintiff objects to this request on the grounds that it is overbroad as to “experiences working for VXN”, unduly burdensome, oppressive, vague, and ambiguous, as any number of documents could be responsive. This request is

1 further objectionable to the extent it seeks information that is neither relevant to the
2 subject matter of this action nor reasonably calculated to lead to the discovery of
3 admissible evidence. This request also fails to reasonably particularize each item or
4 category sought to be produced or inspected. See Code of Civil Procedure §
5 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
6 legal conclusion as to the documents that might be responsive, and is vague and
7 ambiguous as to the meaning of undefined terms. Plaintiff further objects that this
8 request is not specific to a definite time frame and therefore is outside the
9 allowable scope of phase one discovery.

10 Plaintiff objects to this request to the extent it invades Plaintiff's right to
11 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
12 request on the grounds that it seeks information and documents protected by the
13 attorney-client privilege and/or work-product doctrine.

14 Notwithstanding Plaintiff's Objections, Plaintiff responds as follows:

15 After a reasonable search for responsive documents, Plaintiff has not
16 identified any documents that would be responsive to this request.

17 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 31:**

18 Documents or communications between you and VISION, including
19 communications relating to THIS MATTER, the work you performed for VXN,
20 your experiences working for VXN, and legal claims that you may have against
21 Defendants.

22 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
23 **31:**

24 Plaintiff objects to this request on the grounds that it is overbroad as to
25 "experiences working for VXN", unduly burdensome, oppressive, vague, and
26 ambiguous, as any number of documents could be responsive. This request is
27 further objectionable to the extent it seeks information that is neither relevant to the
28

1 subject matter of this action nor reasonably calculated to lead to the discovery of
2 admissible evidence. This request also fails to reasonably particularize each item or
3 category sought to be produced or inspected. See Code of Civil Procedure §
4 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
5 legal conclusion as to the documents that might be responsive, and is vague and
6 ambiguous as to the meaning of undefined terms. Plaintiff further objects that this
7 request is not specific to a definite time frame and therefore is outside the
8 allowable scope of phase one discovery.

9 Plaintiff objects to this request to the extent it invades Plaintiff's right to
10 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
11 request on the grounds that it seeks information and documents protected by the
12 attorney-client privilege and/or work-product doctrine.

13 Notwithstanding Plaintiff's Objections, Plaintiff responds as follows:

14 After a reasonable search for responsive documents, Plaintiff has not
15 identified any documents within her custody and control that would be responsive
16 to this request.

17 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 32:**

18 Documents or communications between you and KONA, including
19 communications relating to THIS MATTER, the work you performed for VXN,
20 your experiences working for VXN, and legal claims that you may have against
21 Defendants.

22 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.**
23 **32:**

24 Plaintiff objects to this request on the grounds that it is overbroad as to
25 "experiences working for VXN", unduly burdensome, oppressive, vague, and
26 ambiguous, as any number of documents could be responsive. This request is
27 further objectionable to the extent it seeks information that is neither relevant to the
28

1 subject matter of this action nor reasonably calculated to lead to the discovery of
2 admissible evidence. This request also fails to reasonably particularize each item or
3 category sought to be produced or inspected. See Code of Civil Procedure §
4 2031.030(c)(1). Plaintiff further objects to this request to the extent it calls for a
5 legal conclusion as to the documents that might be responsive, and is vague and
6 ambiguous as to the meaning of undefined terms. Plaintiff further objects that this
7 request is not specific to a definite time frame and therefore is outside the
8 allowable scope of phase one discovery.

9 Plaintiff objects to this request to the extent it invades Plaintiff's right to
10 privacy, as well as the privacy rights of third parties. Plaintiff also objects to this
11 request on the grounds that it seeks information and documents protected by the
12 attorney-client privilege and/or work-product doctrine.

13 Plaintiff objects to this request as it is not limited to any specific point in
14 time.

15 After a reasonable search for responsive documents, Plaintiff is will produce
16 those responsive documents within her custody and control.

17
18
19 DATED: August 29, 2024

BIBIYAN LAW GROUP

20
21 By: /s/ Jason Rothman

22 David Bibiyan

23 Jeffrey Klein

24 Sarah Cohen

25 Jason Rothman

26 Attorneys for Plaintiff Mackenzie Anne

27 Thoma, and all others similarly situated

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1460 Westwood Blvd., Los Angeles, CA 90024.

On August 29, 2024, I caused a true and correct copy of the foregoing document(s) described as **PLAINTIFF MACKENZIE ANNE THOMA'S RESPONSES TO DEFENDANT VXN GROUP, LLC'S REQUESTS FOR PRODUCTION OF DOCUMENTS (SET ONE)** to be served by electronic transmission to the below referenced electronic e-mail address as follows: The above document(s) were served on the interested parties in this action as follows: *BY ELECTRONIC MAIL: I am readily familiar with our office's practice of electronic mail transmitted by electronic mail transmission and that the transmission was reported as complete and delivered, and without error.*

Brad S. Kane
Kane Law Firm
bkane@kanelaw.la
Attorneys for Defendant, Vixen Media Group

Christian Waugh
cwaugh@waugh.legal
Attorneys for Defendant, Vixen Media
Group

Trey Brown
trey.brown@vixenmediagroup.com
In House Counsel -Vixen Media Group

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on August 29, 2024 at Los Angeles, California.

/s/ Nadia Rodriguez
Nadia Rodriguez

EXHIBIT E

[This Exhibit Has Been Filed Under Seal]

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EXHIBIT F

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION

MACKENZIE ANNE THOMA, A.K.A.

KENZIE ANNE, an Individual and
on Behalf of All Others

Similarly Situated,

Plaintiff,

v.

VXN GROUP, LLC, a Delaware

Limited Liability Company and

MIKE MILLER, an Individual; and

DOES 1 to 100, Inclusive,

Defendants.

Case No.

2:23.cv.04901

WLH (AGRx)

DEPOSITION OF MACKENZIE ANNE THOMA

DATE: Tuesday, August 13, 2024

TIME: 10:36 a.m.

LOCATION: Veritext Legal Solutions

707 Wilshire Boulevard, Suite 3500

Los Angeles, CA 90017

OFFICIATED BY: John Canfield

JOB NO.: 6861393

Page 1

1 generating in 2021?

2 A I don't remember.

3 Q Can you estimate?

4 A No. I would have to talk to my accountant.

5 Q Was it a substantial amount of revenue?

6 A I -- I guess that's subjective.

7 Q Was it more than \$5,000 per month?

8 A I don't know.

9 Q Who is the accountant that you referenced?

10 A I honestly don't know my accountant's name. I
11 had to switch over recently to a new one.

12 Q Does the new accountant also handle Kenzieland
13 accounts?

14 A No, I -- I -- like I said, I don't know if I
15 renewed Kenzieland this year.

16 Q Who was the old accountant?

17 A Larry -- Larry Lerner, I believe was his name.

18 Q Lerner. Like L-E-R-N-E-R?

19 A Yeah.

20 Q I have a friend with that last name. I always
21 want to put the A in there, but.

22 So Kenzieland has produced -- it has generated
23 revenue?

24 A A little bit.

25 Q And does it still produce revenue?

1 A Yes.

2 Q Do you know how Ryan Kona came to be
3 represented by your attorneys?

4 A I don't -- I don't remember.

5 Q Did you refer Ryan Kona to your attorneys?

6 A I believe when we couldn't get ahold of him, I
7 passed his phone number on.

8 Q You passed his phone number onto whom?

9 A Yes, to -- to David.

10 Q Okay. And when would you have passed his
11 phone number to David?

12 A Roughly around when I texted him to not delete
13 anything on his social media accounts.

14 Q And why did you text Ryan's phone number?

15 A Because I didn't want any disruptions in this
16 lawsuit.

17 Q Okay.

18 MR. KANE: Take a little break?

19 MR. BROWN: Are you opposed to a
20 five-minute break?

21 MS. COHEN: Go for it.

22 THE VIDEOGRAPHER: We are going off the
23 record. The time is 3:38 p.m.

24 (Off the record.)

25 THE VIDEOGRAPHER: This is media seven.

Page 117

EXHIBIT G

Thursday, November 7, 2024 at 13:57:13 Pacific Standard Time

Subject: RE: Subpoena to Mainboard LLC / Thoma v. VXN Group LLC et al.
Date: Tuesday, June 18, 2024 at 1:41:32 AM Pacific Daylight Time
From: accounts@mainboard.com
To: Trey Brown
CC: Steve Ullman
Attachments: image001.png, image003.png, image004.png, image005.png, Master-Subscription-Agreement.pdf

Hi Trey

See attached a copy of our MSA.

All data has been deleted including logs. Please elaborate on "User Provided Registration Data"

The Motley Models account was renamed at some stage to Performers First Agency, it was one and the same account. No data was ever transferred to any other account.

Thanks
William

From: Trey Brown <tb@dorado.law>
Sent: Thursday, June 13, 2024 9:58 PM
To: accounts@mainboard.com
Cc: Steve Ullman <steve@mainboard.com>
Subject: Re: Subpoena to Mainboard LLC / Thoma v. VXN Group LLC et al.

Hi William,

Notwithstanding Mainboard's apparent deletion of data falling within the term "Your Data," the Subpoena also requires production of (i) User Provided Registration Data; and (ii) Usage Logs.

Can you verify that the account data for Motley Models (or any of the relevant users identified in the Subpoena) has not been transferred to another account?

Additionally, please provide an exemplar of a Master Subscription Agreement so that I may discern what data is encompassed within the term "Your Data."

Best regards,
Trey

««-----»»
TREY BROWN
DORADO LAW, P.C.
(432) 296-9120 | tb@dorado.law

From: accounts@mainboard.com <accounts@mainboard.com>
Date: Thursday, June 13, 2024 at 8:42 AM
To: tb@dorado.law <tb@dorado.law>
Cc: Steve Ullman <steve@mainboard.com>
Subject: Subpoena to Mainboard LLC / Thoma v. VXN Group LLC et al.

Dear Trey

You sent the attached to Steve yesterday. Motley Models was a client of ours until February 29, 2024. As per our subscription agreement we are obligated to delete all data 30 days after the contract termination or expiration which we have already done. We are thus unable to produce any data as it has already all been deleted.

Here is an extract from our Master Subscription Agreement which related to the deletion of data

12.5. Your Data Portability and Deletion. Upon request by You made within 30 days after the effective date of termination or expiration of this Agreement, We will make Your Data available to You for export or download as provided in the Documentation. After such 30-day period, We will have no obligation to maintain or provide any Your Data, and as provided in the Documentation will thereafter delete or destroy all copies of Your Data in Our systems or otherwise in Our possession or control, unless legally prohibited.

Let me know if there is anything else I can assist you with.

Kind regards

William

ACCOUNTS



EMAIL

WEBSITE

INSTAGRAM

accounts@mainboard.com

www.mainboard.com

[@mymainboard](https://www.instagram.com/mymainboard)

EXHIBIT H

[This Exhibit Has Been Filed Under Seal]

[Remainder of Page Intentionally Left Blank]

EXHIBIT I

KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

KANE LAW FIRM

Brad S. Kane (SBN 151547)
bkane@kanelaw.la
1154 S. Crescent Heights. Blvd.
Los Angeles, CA 90035
Tel: (323) 697-9840
Fax: (323) 571-3579

Trey Brown (SBN 314469)
trey.brown@vixenmediagroup.com
11337 Ventura Blvd.
Studio City, CA 91604

Attorneys for Defendants
VXN GROUP LLC; STRIKE 3 HOLDINGS, LLC;
GENERAL MEDIA SYSTEMS, LLC; and
MIKE MILLER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on
behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware
limited liability company; STRIKE 3
HOLDINGS, LLC, a Delaware limited
liability company; GENERAL MEDIA
SYSTEMS, LLC, a Delaware limited
liability company; MIKE MILLER, an
individual; and DOES 1 to 100,
inclusive,

Defendants.

Case No. **2:23-cv-04901 WLH (AGR_x)**

**NOTICE OF INTENT TO SERVE
SUBPOENA**

NOTICE OF INTENT TO SERVE SUBPOENA

1 PLEASE TAKE NOTICE that on May 24, 2024, Defendant VXN GROUP,
2 LLC, by and through undersigned counsel, will cause the attached subpoena to be
3 served via process server on Ryan Gerona Murphy.

4
5 Respectfully submitted,

6
7 By: /s/ Brad S. Kane

8 Brad Kane

9 Trey Brown

10 Attorneys for Defendants

11 VXN Group LLC; Strike 3

12 Holdings, LLC; General Media

13 Systems, LLC; and Mike Miller

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KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2024, a true and correct copy of the foregoing document was served via email to the following recipients:

David D. Bibiyan
david@tomorrowlaw.com
Jeffrey D. Klein
jeff@tomorrowlaw.com
Sarah H. Cohen
sarah@tomorrowlaw.com
Rafael Yedoyan
rafael@tomorrowlaw.com
Wesley Gonzales
wesley@tomorrowlaw.com

Dated: May 24, 2024

By: /s/ Brad Kane
Brad S. Kane

NOTICE OF INTENT TO SERVE SUBPOENA

UNITED STATES DISTRICT COURT

for the

Central District of California

Mackenzie Anne Thoma, a.k.a. Kenzie Anne

Plaintiff

v.

VXN GROUP, LLC et al.

Defendant

Civil Action No. 2:23-cv-04901 WLH (AGRx)

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: RYAN GERONA MURPHY, 3908 CAMRYN HOLLY ST., LAS VEGAS, NV 89129-7892

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

SEE ATTACHMENT A

Place: EMAIL TO: bkane@kanelaw.la	Date and Time: 06/24/2024 12:00 pm
--------------------------------------	---------------------------------------

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/24/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

s/ Brad S. Kane

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* VXN Group, LLC, who issues or requests this subpoena, are:

Brad Kane; 1154 S. Crescent Heights Blvd., Los Angeles, CA 90035; bkane@kanelaw.la; (323) 697-9840

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:23-cv-04901 WLH (AGRx)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

ATTACHMENT “A” to SUBPOENA

I. DEFINITIONS

1. “And,” “or” and “and/or” and any other conjunctions or disjunctions used herein shall be read both conjunctively and disjunctively so as to require the production of all

Documents (as hereinafter defined) responsive to all or any part of each particular request.

2. “Any,” “each,” “every,” and “all” shall be read to be inclusive and to require the production of each and every Document and/or Communication (hereinafter defined) responsive to the particular request.

3. “APPLEBAUM” means the individual named Chris Applebaum a.k.a. “Halston”.

4. “BLF” means the Bibiyan Law Firm, including its agents, representatives, or any person acting on its behalf.

5. “COMMUNICATION” means any disclosure, transfer, or exchange of information, expression, or opinion, however made, including oral, graphic, written, or electronic transmittal of information, including any Document that contains, reflects, or references any Communication.

6. “DEFENDANTS” means VXN GROUP, LLC, GENERAL MEDIA SYSTEMS, LLC, STRIKE 3 HOLDINGS, LLC, and MIKE MILLER, and each of them, including their agents, employees, representatives, or anyone acting on its behalf.

7. “DOCUMENT(S)” shall mean the original or exact copies of any tangible written, typed, printed or other form of recorded or graphic matter of every kind or description, however produced or reproduced, whether mechanically or electronically recorded, draft, final, original, reproduction, signed or unsigned, regardless of whether approved, signed, sent, received, redrafted, or executed, and whether handwritten, typed, printed, photostated, duplicated, carbon or otherwise copies or produced in any other manner whatsoever. Without limiting the generality

ATTACHMENT “A” to SUBPOENA

of the foregoing, “documents” shall include correspondence, letters, memoranda, memoranda for files, reports, graphs, hard drives, discs, printouts, computer files, back-up tapes, hard disks, litigation data bases and other data compilations from which information can be obtained. Copies of documents which are not identical duplications of the originals, or which contain additions to or deletions from the originals, or copies of documents which are identical duplications of the originals if the originals are not available, shall be considered separate documents.

8. “ENGAGEMENT” means any contract or agreement to perform services, whether written or implied, and any arrangement to perform services arising out of such contract or agreement.

9. “INCLUDING” means including, but not limited to.

10. “INSTAGRAM ACCOUNT” means the account situated on the social media platform Instagram that operates or operated under the username “RGMURPHLV” listed under the URL: <https://www.instagram.com/rgmurphlv> [last accessed on May 13, 2024].

11. “KING” means the individual named Jason King a.k.a. “Austin King”.

12. “LOAN OUT COMPANIES” means any entity through which PLAINTIFF provided services, including but not limited to corporations, limited liability companies, or other business entities, including but not limited to Kenzieland LLC and Lola March LLC.

13. “MOTLEY” means Twice Baked Media, Inc. d/b/a Motley Models.

14. “PERFORMERS FIRST AGENCY” means the agency referenced in the January 24, 2024 Instagram post by YOU described as “PFA” found at <https://www.performersfirst.com/>.

15. “PERSON” means any natural person, firm, partnership, association, joint venture, corporation, governmental entity or agency, or other organization or legal or business entity, without any limitation, or any party (including agents or employees) to this litigation.

ATTACHMENT “A” to SUBPOENA

16. “PLAINTIFF” means Mackenzie Anne Thoma a.k.a Kenzie Anne, including her agents, representatives, anyone acting on her behalf, and any business entity through which Mackenzie Anne Thoma provided services, including the LOAN OUT COMPANIES.

17. “PORN CRUSH” means www.porncrush.com.

18. “RELATES” or “RELATING TO” shall mean directly or indirectly, refer to, reflect, describe, pertain to, arise out of or in connection with, or in any way legally, logically, or factually connected with the matter discussed.

19. “ROCK” means the individual named David Clifford Bacon II a.k.a. “Dave Rock”.

20. “SUMMER” means the individual performing under the screen name “Charly Summer”.¹

21. “SUPRO” means the individual named Todd Gillman a.k.a. “Todd Supro”.

22. “THIS MATTER” means this lawsuit, Mackenzie Anne Thoma a.k.a. Kenzie Anne v. VXXN Group, LLC, Strike 3 Holdings, LLC, General Media Systems, LLC and Mike Miller, No. 2:23-cv-04901-WLH (AGRx) (Central District of California).

23. “YOU” or “YOUR” refers to Ryan Gerona Murphy, a.k.a. Ryan Kona.

24. “VISION” means the individual named Sidney Sanderson Millsbaugh IV, a.k.a. “Sid Visions” a.k.a. “Sid Vision.”

25. The words “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any responses to interrogatories, documents, or communications, which might otherwise be construed to be outside the scope hereof.

¹ To the extent YOU require SUMMER’s real name for identification purposes, Defendant will provide such identifying information after the entry of an applicable Protective Order.

ATTACHMENT “A” to SUBPOENA

II. INSTRUCTIONS

1. If your response to a request is that you do not have possession, custody, or control of a document or communication, please identify who likely has control of the document and its location.

2. In the event that any information requested is withheld on the basis of a claim of privilege, state the ground(s) of the privilege claimed with sufficient particularity to evaluate the claim, and, if any documents are claimed to be privileged, set forth the author, all recipients, number of pages, attachments or appendices, present custodian, and a general description (e.g., “letter” or “memorandum”) of the document.

3. Any information not provided on the basis that the disclosure would be burdensome or oppressive should be identified by stating the approximate number of documents to be produced, the approximate number of person-hours to be incurred in the identification, and the estimated cost of responding to the request. This will make it possible to further narrow any request and potentially identify a reasonable alternative or limitation, and Defendants will meet and confer on that matter.

4. Each copy or duplicate of a document bearing initials, stamps, comments or notations of any character which are not part of the original text shall be considered a separate document. Additionally, all drafts (whether typed, handwritten or otherwise) made or prepared in connection with any document shall be considered a separate document.

5. Documents kept in an electronic or digital format should be produced with all metadata and delivered in their original format or in a manner agreed to by counsel.

6. Emails must identify all recipients and include attachments, previous threads, and forwards.

ATTACHMENT “A” to SUBPOENA

7. The singular of any noun includes the plural.

8. Unless otherwise directed, these requests ask for discoverable materials from

November 11, 2020 to the present.

III. DOCUMENTS TO BE PRODUCED

REQUEST NO. 1. Produce all COMMUNICATIONS between YOU and any PERSON regarding PLAINTIFF’s ENGAGEMENTS with DEFENDANTS.

RESPONSE:

REQUEST NO. 2. Produce all COMMUNICATIONS between YOU and VISION RELATING TO PLAINTIFF’s ENGAGEMENTS with DEFENDANTS.

RESPONSE:

REQUEST NO. 3. Produce all COMMUNICATIONS between YOU and ROCK RELATING TO PLAINTIFF’s ENGAGEMENTS with DEFENDANTS.

RESPONSE:

REQUEST NO. 4. Produce all COMMUNICATIONS between YOU and SUPRO RELATING TO PLAINTIFF’s ENGAGEMENTS with DEFENDANTS.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 5. Produce all COMMUNICATIONS between YOU and APPLEBAUM
RELATING TO PLAINTIFF’s ENGAGEMENTS with DEFENDANT.

RESPONSE:

REQUEST NO. 6. Produce all COMMUNICATIONS between YOU and PLAINTIFF
RELATING TO PLAINTIFF’s ENGAGEMENTS with DEFENDANT.

RESPONSE:

REQUEST NO. 7. Produce all COMMUNICATIONS between YOU and VISION
RELATING TO THIS MATTER.

RESPONSE:

REQUEST NO. 8. Produce all COMMUNICATIONS between YOU and PLAINTIFF
RELATING TO THIS MATTER.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 9. Produce all COMMUNICATIONS between YOU and ANY PERSON RELATING TO THIS MATTER.

RESPONSE:

REQUEST NO. 10. Produce all DOCUMENTS RELATING TO YOUR contractual relationship with PLAINTIFF, INCLUDING any agreement to serve as an agent for PLAINTIFF, and any agreement providing for commissions payable to YOU in connection with PLAINTIFF.

RESPONSE:

REQUEST NO. 11. Produce all DOCUMENTS RELATING TO any commissions payable to YOU in connection with PLAINTIFF’s ENGAGEMENTS with DEFENDANTS, INCLUDING any negotiable instruments (e.g., check), invoices, tax forms, or accounting statements reflecting such payments.

RESPONSE:

REQUEST NO. 12. Produce all DOCUMENTS RELATING TO any payments between PLAINTIFF and YOU in connection with DEFENDANTS, INCLUDING any negotiable instruments (e.g., check), invoices, tax forms, or accounting statements reflecting such payments.

ATTACHMENT "A" to SUBPOENA

RESPONSE:

REQUEST NO. 13. Produce all DOCUMENTS RELATING TO any payments between LOAN OUT COMPANIES and YOU in connection with DEFENDANTS, INCLUDING any negotiable instruments (e.g., check), invoices, tax forms, or accounting statements reflecting such payments.

RESPONSE:

REQUEST NO. 14. Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to PLAINTIFF's status as an independent contractor or employee in connection with DEFENDANTS.

RESPONSE:

REQUEST NO. 15. Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to PLAINTIFF's status as an independent contractor or employee in connection with any PERSON.

RESPONSE:

ATTACHMENT "A" to SUBPOENA

REQUEST NO. 16. Produce all DOCUMENTS that reference PLAINTIFF'S LOAN OUT COMPANIES, INCLUDING contracts, agreements, correspondence, invoices, payment records, and financial statements related to any services provided by PLAINTIFF through her LOAN OUT COMPANIES.

RESPONSE:

REQUEST NO. 17. Produce all DOCUMENTS between YOU and MOTLEY relating to PLAINTIFF.

RESPONSE:

REQUEST NO. 18. Produce all DOCUMENTS between YOU and MOTLEY relating to DEFENDANTS.

RESPONSE:

REQUEST NO. 19. Produce all COMMUNICATIONS between YOU and MOTLEY relating to PLAINTIFF's status as an independent contractor or employee in connection with DEFENDANTS.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 20. Produce all COMMUNICATIONS between YOU and ROCK relating to PLAINTIFF’s status as an independent contractor or employee in connection with DEFENDANTS.

RESPONSE:

REQUEST NO. 21. Produce all COMMUNICATIONS between YOU and VISION relating to PLAINTIFF’s status as an independent contractor or employee in connection with DEFENDANTS.

RESPONSE:

REQUEST NO. 22. Produce all COMMUNICATIONS between YOU and VISION relating to the statement posted on your Instagram story on January 24, 2024 where VISION said to you “Don’t worry, you don’t fuck me, I won’t fuck you.”

RESPONSE:

REQUEST NO. 23. Produce all COMMUNICATIONS relating to “Vixen [sic] suspicions were correct that Motley had something to do with [THIS MATTER] as Sid Visions was the man who introduced Kenzie to her lawyer and bragged about how he convinced her to do this” as stated in your January 24, 2024 Instagram story.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 24. Produce all COMMUNICATIONS relating to “Sid [sic] biggest issue with Vixen was that they refused to book Charly. While circumstances of this is complicated, it became a personal vendetta with them. Sid would make claims that CIA and Interpol were investigating VMG overseas activity involving their shooter and Agent Julia and made it his goal to take Vixen down. Him and Charly always wanted to be in the know regardless of [sic] it was a rumor or fact and try to use that against everyone which many of you may have been victim of” as stated in your January 24, 2024 Instagram story.

RESPONSE:

REQUEST NO. 25. Produce all COMMUNICATIONS indicating VISION had a personal vendetta against DEFENDANTS, as stated in your January 24, 2024 Instagram story.

RESPONSE:

REQUEST NO. 26. Produce all COMMUNICATIONS indicating VISION and SUMMER “have a long history of shadiness” as stated in your January, 24, 2024 Instagram story.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 27. Produce all COMMUNICATIONS relating to “when Porn Crush first launched Dave told me that Sid is running the site and this was confirmed by Sid directly to me in September. Since then I’ve heard rumors he may actually own the site. I don’t know if that is actually true but maybe Austin King needs to clear this up and address why someone with character issues such as Sid is involved with him” as stated in your January, 24, 2024 Instagram story.

RESPONSE:

REQUEST NO. 28. Produce all COMMUNICATIONS relating to VISION’S character issues.

RESPONSE:

REQUEST NO. 29. Produce all COMMUNICATIONS between YOU and KING relating to DEFENDANTS.

RESPONSE:

REQUEST NO. 30. Produce all COMMUNICATIONS between YOU and SUMMER relating to DEFENDANTS.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 31. Produce all COMMUNICATIONS between YOU and BLF relating to DEFENDANTS.

RESPONSE:

REQUEST NO. 32. In native format, produce all data for the INSTAGRAM ACCOUNT. Data for the INSTAGRAM ACCOUNT can be obtained by using the instructions under the header “Downloading a copy of your information on Instagram” at: <https://help.instagram.com/181231772500920>. Please produce this information in HTML format.

RESPONSE:

REQUEST NO. 33. Produce all COMMUNICATIONS between YOU and VISION relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE:

REQUEST NO. 34. Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE:

ATTACHMENT "A" to SUBPOENA

REQUEST NO. 35. Produce all COMMUNICATIONS between YOU and ROCK relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE:

REQUEST NO. 36. Produce all COMMUNICATIONS between YOU and SUMMER relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE:

REQUEST NO. 37. Produce all COMMUNICATIONS between YOU and SUPRO relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE:

REQUEST NO. 38. Produce all COMMUNICATIONS between YOU and PERFORMERS FIRST AGENCY relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE:

ATTACHMENT “A” to SUBPOENA

REQUEST NO. 39. Produce all DOCUMENTS RELATING TO any payment of money or other consideration to YOU from any PERSON in connection with the editing, removal, relocation, archiving, or deletion of any post on the INSTAGRAM ACCOUNT.

RESPONSE:

EXHIBIT J

**BIBIYAN LAW GROUP**, P.C.8484 Wilshire Blvd., Suite 500
Beverly Hills, California, 90211
310.438.5555 T
310.300.1705 F
www.employmentlawyerla.com

May 29, 2024

VIA U.S. MAILRyan Gerona Murphy;
3908 Camryn Holly St.
Las Vegas, NV 89129Re: *Mackenzie Anne Thoma v. VNX Group LLC, et al.*
Central District of California, Case No. 2:23-CV-04901-WLH

Dear Mr. Murphy:

Please be advised that our firm, Bibiyan Law Group, P.C., represents Plaintiff Mackenzie Anne Thoma ("Plaintiff") in the above-referenced action. It is our understanding that VNX Group LLC ("Defendant") has subpoenaed documents from your company subject to privacy interests of Plaintiff and a third party arising under the United States Constitution and the California Constitution. Please note that counsel for Plaintiff intends to file a Motion to Quash to prevent their disclosure.

Under Code of Civil Procedure Section 1987.1 and Federal Rules of Civil Procedure Rule 45, when a Motion to Quash has been filed, the custodian of records and the deposition officer are prevented from producing records until the court orders their production. Disobedience (*i.e.*, producing records prior to the resolution of this issue) may be punishable by civil liability and court sanctions, including, in some instances, contempt of court.

The custodian of records must thus comply with its legal obligation not to release the requested records until the Court rules on Plaintiff's Motion to Quash, or the parties issue a joint statement regarding if and to what extent to comply with the subpoena.

Best regards.

Very truly yours,

BIBIYAN LAW GROUP, P.C.

/s/ Sarah H. Cohen
Sarah H. Cohencc: Brad Krane, bkane@kanelaw.la; Trey Brown, trey.brown@vixenmediagroup.com;
tb@dorado.law, Counsel for Defendants; (via e-mail only).

EXHIBIT K

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Attorneys for Respondent RYAN MURPHY

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on behalf
of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited
liability company; STRIKE 3 HOLDINGS,
LLC, a Delaware limited liability company;
GENERAL MEDIA SYSTEMS, LLC, a
Delaware limited liability company; MIKE
MILLER, an individual; and DOES 1
through 100, inclusive,

Defendants.

CASE NO.: 2:23-cv-04901-WLH
(AGRx)

[Assigned to the Hon. Wesley L. Hsu]

**RESPONDENT RYAN MURPHY'S
RESPONSE TO DEFENDANTS'
NOTICE OF INTENT TO SERVE
SUBPOENA**

1 Pursuant to the Federal Rules of Civil Procedure (“FRCP”), including FRCP
2 Rules 26 and 34, Respondent RYAN MURPHY (“Respondent”) responds as follows
3 to Defendants’ May 24, 2024 Subpoena to Produce Documents, Information, or
4 Objects or to Permit Inspection of Premises in a Civil Action.

5 **REQUEST NO. 1**

6 Produce all COMMUNICATIONS between YOU and any PERSON
7 regarding PLAINTIFF’s ENGAGEMENTS with DEFENDANTS

8 **RESPONSE TO REQUEST NO. 1:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 ///

1 **REQUEST NO. 2**

2 Produce all COMMUNICATIONS between YOU and VISION RELATING
3 TO PLAINTIFF's ENGAGEMENTS with DEFENDANTS

4 **RESPONSE TO REQUEST NO. 2:**

5 Respondent objects to this request. Respondent objects to this request as it
6 Respondent objects to this request. Respondent objects to this request as it breaches
7 his reasonable expectation of privacy, and his privacy rights outweigh the probative
8 value this information may provide to Defendants. Respondent objects to this request
9 to the extent it seeks privileged work product. Respondent objects to this request to
10 the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is either no longer personally in
23 possession of the requested documentation or has never been in possession of the
24 requested documents.

25 **REQUEST NO. 3**

26 Produce all COMMUNICATIONS between YOU and ROCK RELATING
27 TO PLAINTIFF's ENGAGEMENTS with DEFENDANTS

28 ///

1 **RESPONSE TO REQUEST NO. 3:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as he is either no longer personally in
19 possession of the requested documentation or has never been in possession of the
20 requested documents.

21 **REQUEST NO. 4**

22 Produce all COMMUNICATIONS between YOU and SUPRO RELATING
23 TO PLAINTIFF's ENGAGEMENTS with DEFENDANTS.

24 **RESPONSE TO REQUEST NO. 4:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **REQUEST NO. 5**

17 Produce all COMMUNICATIONS between YOU and APPLEBAUM
18 RELATING TO PLAINTIFF's ENGAGEMENTS with DEFENDANT.

19 **RESPONSE TO REQUEST NO. 5:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as he is either no longer personally in
9 possession of the requested documentation or has never been in possession of the
10 requested documents.

11 **REQUEST NO. 6**

12 Produce all COMMUNICATIONS between YOU and
13 PLAINTIFF RELATING TO PLAINTIFF'S ENGAGEMENTS with DEFENDANT.

14 **RESPONSE TO REQUEST NO. 6:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is either no longer personally in
4 possession of the requested documentation or has never been in possession of the
5 requested documents.

6 **REQUEST NO. 7**

7 Produce all COMMUNICATIONS between YOU and VISION RELATING
8 TO THIS MATTER.

9 **RESPONSE TO REQUEST NO. 7:**

10 Respondent objects to this request. Respondent objects to this request as it
11 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
12 probative value this information may provide to Defendants. Respondent objects to
13 this request to the extent it seeks privileged work product. Respondent objects to this
14 request to the extent it seeks information that is protected by attorney-client privilege.
15 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
16 time and/or scope. Respondent objects to this request as it is overbroad and is not
17 proportionate to the needs of the case. Respondent objects to this response as the
18 burden or expense in the production of these documents far outweighs the likely
19 benefit this document provides. This request is irrelevant as to Phase I discovery
20 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
21 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
22 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
23 objects to this request as all of the information requested is not reasonably accessible
24 to him because of undue burden or cost.

25 Notwithstanding said objections, Respondent states as follows: Respondent
26 cannot produce any requested documentation as he is either no longer personally in
27 possession of the requested documentation or has never been in possession of the
28 requested documents.

1 **REQUEST NO. 8**

2 Produce all COMMUNICATIONS between YOU and
3 PLAINTIFF RELATING TO THIS MATTER.

4 **RESPONSE TO REQUEST NO. 8:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is either no longer personally in
22 possession of the requested documentation or has never been in possession of the
23 requested documents.

24 **REQUEST NO. 9**

25 Produce all COMMUNICATIONS between YOU and ANY PERSON
26 RELATING TO THIS MATTER.

27 ///

28 ///

1 **RESPONSE TO REQUEST NO. 9:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as he is either no longer personally in
19 possession of the requested documentation or has never been in possession of the
20 requested documents.

21 **REQUEST NO. 10**

22 Produce all DOCUMENTS RELATING TO YOUR contractual relationship
23 with PLAINTIFF, INCLUDING any agreement to serve as an agent for Plaintiff, and
24 any agreement providing for commissions payable to YOU in connection with
25 PLAINTIFF.

26 **RESPONSE TO REQUEST NO. 10:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is either no longer personally in
16 possession of the requested documentation or has never been in possession of the
17 requested documents.

18 **REQUEST NO. 11**

19 Produce all DOCUMENTS RELATING TO any commissions payable to YOU
20 in connection with PLAINTIFF's ENGAGEMENTS with DEFENDANTS,
21 INCLUDING any negotiable instruments (e.g., check), invoices, tax forms, or
22 accounting statements reflecting such payments.

23 **RESPONSE TO REQUEST NO. 11:**

24 Respondent objects to this request. Respondent objects to this request as it
25 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
26 probative value this information may provide to Defendants. Respondent objects to
27 this request to the extent it seeks privileged work product. Respondent objects to this
28 request to the extent it seeks information that is protected by attorney-client privilege.

1 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
2 time and/or scope. Respondent objects to this request as it is overbroad and is not
3 proportionate to the needs of the case. Respondent objects to this response as the
4 burden or expense in the production of these documents far outweighs the likely
5 benefit this document provides. This request is irrelevant as to Phase I discovery
6 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
7 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
8 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
9 objects to this request as all of the information requested is not reasonably accessible
10 to him because of undue burden or cost.

11 Notwithstanding said objections, Respondent states as follows: Respondent
12 cannot produce any requested documentation as he is either no longer personally in
13 possession of the requested documentation or has never been in possession of the
14 requested documents.

15 **REQUEST NO. 12**

16 Produce all DOCUMENTS RELATING TO any payments between
17 PLAINTIFF and YOU in connection with DEFENDANTS, INCLUDING any
18 negotiable instruments (e.g., check), invoices, tax forms, or accounting statements
19 reflecting such payments.

20 **RESPONSE TO REQUEST NO. 12:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 cannot produce any requested documentation as he is either no longer personally in
10 possession of the requested documentation or has never been in possession of the
11 requested documents.

12 **REQUEST NO. 13**

13 Produce all DOCUMENTS RELATING TO any payments between LOAN
14 OUT COMPANIES and YOU in connection with DEFENDANTS, INCLUDING any
15 negotiable instruments (e.g., check), invoices, tax forms, or accounting statements
16 reflecting such payments.

17 **RESPONSE TO REQUEST NO. 13:**

18 Respondent objects to this request. Respondent objects to this request as it
19 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
20 probative value this information may provide to Defendants. Respondent objects to
21 this request to the extent it seeks privileged work product. Respondent objects to this
22 request to the extent it seeks information that is protected by attorney-client privilege.
23 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
24 time and/or scope. Respondent objects to this request as it is overbroad and is not
25 proportionate to the needs of the case. Respondent objects to this response as the
26 burden or expense in the production of these documents far outweighs the likely
27 benefit this document provides. This request is irrelevant as to Phase I discovery
28 which is limited to two threshold issues related to Plaintiff's individual claims; (i)

1 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
2 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
3 objects to this request as all of the information requested is not reasonably accessible
4 to him because of undue burden or cost.

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is either no longer personally in
7 possession of the requested documentation or has never been in possession of the
8 requested documents.

9 **REQUEST NO. 14**

10 Produce all COMMUNICATIONS between YOU and Plaintiff relating to
11 PLAINTIFF's status as an independent contractor or employee in connection with
12 DEFENDANTS.

13 **RESPONSE TO REQUEST NO. 14:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost. Respondent objects to this request as this

1 request asks for the improper disclosure of expert testimony. Respondent objects to
2 this request as it asks for Respondent, a lay witness, to make an expert opinion.
3 Respondent objects to this request as it asks Respondent, a lay witness, to make a
4 legal conclusion

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is either no longer personally in
7 possession of the requested documentation or has never been in possession of the
8 requested documents.

9 **REQUEST NO. 15**

10 Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to
11 PLAINTIFF's status as an independent contractor or employee in connection with
12 any PERSON.

13 **RESPONSE TO REQUEST NO. 15:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost. Respondent objects to this request as this

1 request asks for the improper disclosure of expert testimony. Respondent objects to
2 this request as it asks for Respondent, a lay witness, to make an expert opinion.
3 Respondent objects to this request as it asks Respondent, a lay witness, to make a
4 legal conclusion

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is either no longer personally in
7 possession of the requested documentation or has never been in possession of the
8 requested documents.

9 **REQUEST NO. 16**

10 Produce all DOCUMENTS that reference PLAINTIFF'S LOANOUT
11 COMPANIES, INCLUDING contracts, agreements, correspondence, invoices,
12 payment records, and financial statements related to any services provided by
13 PLAINTIFF through her LOAN OUTCOMPANIES.

14 **RESPONSE TO REQUEST NO. 16:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is either no longer personally in
4 possession of the requested documentation or has never been in possession of the
5 requested documents.

6 **REQUEST NO. 17**

7 Produce all DOCUMENTS between YOU and MOTLEY relating to
8 PLAINTIFF.

9 **RESPONSE TO REQUEST NO. 17:**

10 Respondent objects to this request. Respondent objects to this request as it
11 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
12 probative value this information may provide to Defendants. Respondent objects to
13 this request to the extent it seeks privileged work product. Respondent objects to this
14 request to the extent it seeks information that is protected by attorney-client privilege.
15 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
16 time and/or scope. Respondent objects to this request as it is overbroad and is not
17 proportionate to the needs of the case. Respondent objects to this response as the
18 burden or expense in the production of these documents far outweighs the likely
19 benefit this document provides. This request is irrelevant as to Phase I discovery
20 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
21 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
22 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
23 objects to this request as all of the information requested is not reasonably accessible
24 to him because of undue burden or cost.

25 Notwithstanding said objections, Respondent states as follows: Respondent
26 cannot produce any requested documentation as he is either no longer personally in
27 possession of the requested documentation or has never been in possession of the
28 requested documents.

1 **REQUEST NO. 18**

2 Produce all DOCUMENTS between YOU and MOTLEY relating to
3 DEFENDANTS.

4 **RESPONSE TO REQUEST NO. 18:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is either no longer personally in
22 possession of the requested documentation or has never been in possession of the
23 requested documents.

24 **REQUEST NO. 19**

25 Produce all COMMUNICATIONS between YOU and MOTLEY relating to
26 PLAINTIFF's status as an independent contractor or employee in connection with
27 DEFENDANTS.

28 ///

1 **RESPONSE TO REQUEST NO. 19:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost. Respondent objects to this request as this
17 request asks for the improper disclosure of expert testimony. Respondent objects to
18 this request as it asks for Respondent, a lay witness, to make an expert opinion.
19 Respondent objects to this request as it asks Respondent, a lay witness, to make a
20 legal conclusion

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is either no longer personally in
23 possession of the requested documentation or has never been in possession of the
24 requested documents.

25 **REQUEST NO. 20**

26 Produce all COMMUNICATIONS between YOU and ROCK relating to
27 PLAINTIFF's status as an independent contractor or employee in connection with
28 DEFENDANTS.

1 **RESPONSE TO REQUEST NO. 20:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost. Respondent objects to this request as this
17 request asks for the improper disclosure of expert testimony. Respondent objects to
18 this request as it asks for Respondent, a lay witness, to make an expert opinion.
19 Respondent objects to this request as it asks Respondent, a lay witness, to make a
20 legal conclusion

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is either no longer personally in
23 possession of the requested documentation or has never been in possession of the
24 requested documents.

25 **REQUEST NO. 21**

26 Produce all COMMUNICATIONS between YOU and VISION relating to
27 PLAINTIFF's status as an independent contractor or employee in connection with
28 DEFENDANTS.

1 **RESPONSE TO REQUEST NO. 21:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost. Respondent objects to this request as this
17 request asks for the improper disclosure of expert testimony. Respondent objects to
18 this request as it asks for Respondent, a lay witness, to make an expert opinion.
19 Respondent objects to this request as it asks Respondent, a lay witness, to make a
20 legal conclusion

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is either no longer personally in
23 possession of the requested documentation or has never been in possession of the
24 requested documents.

25 **REQUEST NO. 22**

26 Produce all COMMUNICATIONS between YOU and VISION relating to the
27 statement posted on your Instagram story on January 24, 2024 where VISION said to
28 you "Don't worry, you don't fuck me, I won't fuck you."

1 **RESPONSE TO REQUEST NO. 22:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as he is either no longer personally in
19 possession of the requested documentation or has never been in possession of the
20 requested documents.

21 **REQUEST NO. 23**

22 Produce all COMMUNICATIONS relating to "Vixen [sic] suspicions were
23 correct that Motley had something to do with [THIS MATTER] as Sid Visions was
24 the man who introduced Kenzie to her lawyer and bragged about how he convinced
25 her to do this" as stated in your January 24, 2024 Instagram story.

26 **RESPONSE TO REQUEST NO. 23:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is either no longer personally in
16 possession of the requested documentation or has never been in possession of the
17 requested documents.

18 **REQUEST NO. 24**

19 Produce all COMMUNICATIONS relating to "Sid [sic] biggest issue with
20 Vixen was that they refused to book Charly. While circumstances of this is
21 complicated, it became a personal vendetta with them. Sid would make claims that
22 CIA and Interpol were investigating VMG overseas activity involving their shooter
23 and Agent Julia and made it his goal to take Vixen down. Him and Charly always
24 wanted to be in the know regardless of [sic] it was a rumor or fact and try to use that
25 against everyone which many of you may have been victim of" as stated in your
26 January 24, 2024 Instagram story.

27 **RESPONSE TO REQUEST NO. 24:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as he is either no longer personally in
17 possession of the requested documentation or has never been in possession of the
18 requested documents.

19 **REQUEST NO. 25**

20 Produce all COMMUNICATIONS indicating VISION had a personal vendetta
21 against DEFENDANTS, as stated in your January 24, 2024 Instagram story.

22 **RESPONSE TO REQUEST NO. 25:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **REQUEST NO. 26**

15 Produce all COMMUNICATIONS indicating VISION and SUMMER "have a
16 long history of shadiness" as stated in your January, 24, 2024 Instagram story.

17 **RESPONSE TO REQUEST NO. 26:**

18 Respondent objects to this request. Respondent objects to this request as it
19 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
20 probative value this information may provide to Defendants. Respondent objects to
21 this request to the extent it seeks privileged work product. Respondent objects to this
22 request to the extent it seeks information that is protected by attorney-client privilege.
23 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
24 time and/or scope. Respondent objects to this request as it is overbroad and is not
25 proportionate to the needs of the case. Respondent objects to this response as the
26 burden or expense in the production of these documents far outweighs the likely
27 benefit this document provides. This request is irrelevant as to Phase I discovery
28 which is limited to two threshold issues related to Plaintiff's individual claims; (i)

1 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
2 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
3 objects to this request as all of the information requested is not reasonably accessible
4 to him because of undue burden or cost.

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is either no longer personally in
7 possession of the requested documentation or has never been in possession of the
8 requested documents.

9 **REQUEST NO. 27**

10 Produce all COMMUNICATIONS relating to “when Porn Crush first launched
11 Dave told me that Sid is running the site and this was confirmed by Sid directly to me
12 in September. Since then I’ve heard rumors he may actually own the site. I don’t know
13 if that is actually true but maybe Austin King needs to clear this up and address why
14 someone with character issues such as Sid is involved with him” as stated in your
15 January, 24, 2024 Instagram story.

16 **RESPONSE TO REQUEST NO. 27:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is either no longer personally in
6 possession of the requested documentation or has never been in possession of the
7 requested documents.

8 **REQUEST NO. 28**

9 Produce all COMMUNICATIONS relating to VISION'S character issues.

10 **RESPONSE TO REQUEST NO. 28:**

11 Respondent objects to this request. Respondent objects to this request as it
12 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
13 probative value this information may provide to Defendants. Respondent objects to
14 this request to the extent it seeks privileged work product. Respondent objects to this
15 request to the extent it seeks information that is protected by attorney-client privilege.
16 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
17 time and/or scope. Respondent objects to this request as it is overbroad and is not
18 proportionate to the needs of the case. Respondent objects to this response as the
19 burden or expense in the production of these documents far outweighs the likely
20 benefit this document provides. This request is irrelevant as to Phase I discovery
21 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
22 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
23 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
24 objects to this request as all of the information requested is not reasonably accessible
25 to him because of undue burden or cost.

26 Notwithstanding said objections, Respondent states as follows: Respondent
27 cannot produce any requested documentation as he is either no longer personally in
28 possession of the requested documentation or has never been in possession of the

1 requested documents.

2 **REQUEST NO. 29**

3 Produce all COMMUNICATIONS between YOU and KING relating to
4 DEFENDANTS.

5 **RESPONSE TO REQUEST NO. 29:**

6 Respondent objects to this request. Respondent objects to this request as it
7 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
8 probative value this information may provide to Defendants. Respondent objects to
9 this request to the extent it seeks privileged work product. Respondent objects to this
10 request to the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is either no longer personally in
23 possession of the requested documentation or has never been in possession of the
24 requested documents.

25 **REQUEST NO. 30**

26 Produce all COMMUNICATIONS between YOU and SUMMER relating to
27 DEFENDANTS.

28 **RESPONSE TO REQUEST NO. 30:**

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not proportionate to the needs of the case. Respondent objects to this response as the burden or expense in the production of these documents far outweighs the likely benefit this document provides. This request is irrelevant as to Phase I discovery which is limited to two threshold issues related to Plaintiff's individual claims; (i) whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff falls under the professional actor exemptions of IWC Wage Order 12. Respondent objects to this request as all of the information requested is not reasonably accessible to him because of undue burden or cost.

Notwithstanding said objections, Respondent states as follows: Respondent cannot produce any requested documentation as he is either no longer personally in possession of the requested documentation or has never been in possession of the requested documents.

REQUEST NO. 31

Produce all COMMUNICATIONS between YOU and BLF relating to DEFENDANTS.

RESPONSE TO REQUEST NO. 31:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege.

1 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
2 time and/or scope. Respondent objects to this request as it is overbroad and is not
3 proportionate to the needs of the case. Respondent objects to this response as the
4 burden or expense in the production of these documents far outweighs the likely
5 benefit this document provides. This request is irrelevant as to Phase I discovery
6 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
7 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
8 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
9 objects to this request as all of the information requested is not reasonably accessible
10 to him because of undue burden or cost.

11 Notwithstanding said objections, Respondent states as follows: Respondent
12 cannot produce any requested documentation as he is either no longer personally in
13 possession of the requested documentation or has never been in possession of the
14 requested documents.

15 **REQUEST NO. 32**

16 In native format, produce all data for the INSTAGRAM ACCOUNT. Data for
17 the INSTAGRAM ACCOUNT can be obtained by using the instructions under the
18 header "Downloading a copy of your information on Instagram"
19 at:<https://help.instagram.com/181231772500920>. Please produce this information in
20 HTML format.

21 **RESPONSE TO REQUEST NO. 32:**

22 Respondent objects to this request. Respondent objects to this request as it
23 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
24 probative value this information may provide to Defendants. Respondent objects to
25 this request to the extent it seeks privileged work product. Respondent objects to this
26 request to the extent it seeks information that is protected by attorney-client privilege.
27 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
28 time and/or scope. Respondent objects to this request as it is overbroad and is not

1 proportionate to the needs of the case. Respondent objects to this response as the
2 burden or expense in the production of these documents far outweighs the likely
3 benefit this document provides. This request is irrelevant as to Phase I discovery
4 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
5 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
6 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
7 objects to this request as all of the information requested is not reasonably accessible
8 to him because of undue burden or cost.

9 Notwithstanding said objections, Respondent states as follows: Respondent
10 cannot produce any requested documentation as he is either no longer personally in
11 possession of the requested documentation or has never been in possession of the
12 requested documents.

13 **REQUEST NO. 33**

14 Produce all COMMUNICATIONS between YOU and VISION relating to any
15 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

16 **RESPONSE TO REQUEST NO. 33:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is either no longer personally in
6 possession of the requested documentation or has never been in possession of the
7 requested documents.

8 **REQUEST NO. 34**

9 Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to
10 any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

11 **RESPONSE TO REQUEST NO. 34:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 cannot produce any requested documentation as he is either no longer personally in

1 possession of the requested documentation or has never been in possession of the
2 requested documents.

3 **REQUEST NO. 35**

4 Produce all COMMUNICATIONS between YOU and ROCK relating to any
5 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

6 **RESPONSE TO REQUEST NO. 35:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is either no longer personally in
24 possession of the requested documentation or has never been in possession of the
25 requested documents.

26 **REQUEST NO. 36**

27 Produce all COMMUNICATIONS between YOU and SUMMER relating to
28 any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE TO REQUEST NO. 36:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not proportionate to the needs of the case. Respondent objects to this response as the burden or expense in the production of these documents far outweighs the likely benefit this document provides. This request is irrelevant as to Phase I discovery which is limited to two threshold issues related to Plaintiff's individual claims; (i) whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff falls under the professional actor exemptions of IWC Wage Order 12. Respondent objects to this request as all of the information requested is not reasonably accessible to him because of undue burden or cost.

Notwithstanding said objections, Respondent states as follows: Respondent cannot produce any requested documentation as he is either no longer personally in possession of the requested documentation or has never been in possession of the requested documents.

REQUEST NO. 37

Produce all COMMUNICATIONS between YOU and SUPRO relating to any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

RESPONSE TO REQUEST NO. 37:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **REQUEST NO. 38**

17 Produce all COMMUNICATIONS between YOU and PERFORMERS FIRST
18 AGENCY relating to any social media posts issued by YOU through the
19 INSTAGRAM ACCOUNT.

20 **RESPONSE TO REQUEST NO. 38:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 cannot produce any requested documentation as he is either no longer personally in
10 possession of the requested documentation or has never been in possession of the
11 requested documents.

12 **REQUEST NO. 39**

13 Produce all DOCUMENTS RELATING TO any payment of money or other
14 consideration to YOU from any PERSON in connection with the editing, removal,
15 relocation, archiving, or deletion of any post on the INSTAGRAM ACCOUNT.

16 **RESPONSE TO REQUEST NO. 39:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is either no longer personally in
6 possession of the requested documentation or has never been in possession of the
7 requested documents.

8
9 Dated: June 7, 2024

BIBIYAN LAW GROUP, P.C.

10
11
12 By: /s/ Rafael Yedoyan
13 DAVID D. BIBIYAN
14 JEFFREY D. KLEIN
15 SARAH H. COHEN
16 RAFAEL YEDOYAN
Attorneys for RESPONDENT RYAN
MURPHY
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18
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22
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26
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28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 8484 Wilshire Blvd., Suite 500, Beverly Hills, California 90211.

On June 7, 2024, and pursuant to the California Code of Civil Procedure section 1010.6, I caused a true and correct copy of the foregoing document(s) described as **RESPONDENT RYAN MURPHY'S RESPONSE TO DEFENDANTS' NOTICE OF INTENT TO SERVE SUBPOENA** to be served by electronic transmission to the below referenced electronic e-mail address as follows:

Brad S. Kane
Kane Law Firm
1154 S Crescent Heights Blvd.,
Los Angeles, Ca 90035
Office: 323-937-3291
bkane@kanelaw.la
Attorneys for Defendant, Vixen Media Group

Trey Brown
trey.brown@vixenmediagroup.com
In House Counsel -Vixen Media Group

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 7, 2024 at Los Angeles, California.

/s/ Nadia Rodriguez
Nadia Rodriguez

EXHIBIT L

Thursday, November 7, 2024 at 14:05:04 Pacific Standard Time

Subject: [Case #8884519]**Date:** Sunday, August 18, 2024 at 12:24:10 PM Pacific Daylight Time**From:** Records**To:** trey.brown@vixenmediagroup.com

Hello,

Meta Platforms, Inc. ("Meta") received a subpoena from you issued on behalf of a litigant on August 01, 2024 (Case# 2:23-cv-04901-WLH (AGRx)) seeking information associated with a purported Facebook and/or Instagram account. Meta objects to your subpoena for the reasons below. Please review this information, as well as information available in the relevant Facebook's Help Center, located at <http://www.facebook.com/help/> and/or Instagram's Help Center, located at <https://help.instagram.com/>. Meta reserves all objections and rights.

To the extent your request is improperly addressed to WhatsApp, Meta does not accept service of subpoenas and other legal processes directed to WhatsApp LLC. All subpoenas and other legal processes related to the WhatsApp service must be directed to WhatsApp LLC.

For requests addressed to Instagram LLC, Meta will not accept subpoenas directed to Instagram LLC. All subpoenas must be directed to the entity mentioned in the terms of service that are applicable to the use of Meta's service. For U.S. users, all subpoenas must be directed to Meta Platforms, Inc.

If your subpoena is not issued from a court with subpoena power over Meta, this letter is not intended by Meta, and should not be construed by you, as consent by Meta to the jurisdiction or subpoena power of the issuing court. Meta is a Delaware corporation headquartered in California and objects to the subpoena power of any state court outside of these jurisdictions, and objects to any federal subpoena that demands compliance more than 100 miles from Meta's Menlo Park, California headquarters in violation of Fed. R. Civ. P. 45(c)(2)(A).

Requests for User Content and Information

Meta addresses all requests related to user accounts in accordance with the federal Stored Communications Act, 18 U.S.C. §§ 2701, et seq. Please note that service

providers are not the proper recipients of requests for the contents of users' electronic communications.

Requests for the Content of a User Account Must be Directed to the User

If you are seeking the content of a user's electronic communications, such as messages, posts, comments, photos, or videos, you must direct your request to the user or other non-provider entities. Active users can log into their accounts at any time to preserve, collect, produce, and authenticate their account contents. Various tools are available to help users access and download their information. Descriptions of these tools are available in our Help Center.

Meta does not produce user content in response to consent forms. Users can directly respond to party or non-party discovery requests without Meta's involvement. Information about deactivated and deleted accounts, and deleted information, is available in our Help Center and our Data Use Policy.

Requests for Account Details and Non-Content Information

If you are a non-governmental entity seeking non-content basic subscriber information associated with a user account that cannot be obtained from the user, your subpoena is not otherwise objectionable, and your subpoena uniquely identifies an account by URL or email address, Meta may produce reasonably available basic subscriber information, if any, after providing 21-days notice to the user of an affected account. If you wish to proceed with this limited scope of discovery, please contact us. Depending on the facts of the case, Meta reserves the right to object to production of non-content basic subscriber information on First Amendment grounds. See *Glassdoor, Inc. v. Superior Court*, 9 Cal. App. 5th 623, 634-35 (2017). If you are a governmental entity, please also note that the federal Stored Communications Act prevents governmental entities from using civil discovery subpoenas to obtain non-content basic subscriber information. See *F.T.C. v. Netscape Communications Corp.*, 196 F.R.D. 559, 561 (N.D. Cal. 2000).

Additional Considerations and Objections

Meta does not waive personal service of private party, non-governmental legal process. Meta and its records custodians are located in Menlo Park, California, which is where the Company resides.

Please ensure that any requests for Instagram or Facebook user data are correctly addressed to:

Meta Platforms, Inc.
1 Meta Way,
Menlo Park,
CA 94025

Meta cannot respond to subpoenas containing requests that are overly broad, unduly burdensome, vague, or not reasonably calculated to lead to the discovery of admissible evidence. Please ensure that you have identified a unique user account by URL or email address and that your request is appropriately date and field limited.

Meta objects to all requests that seek protected or privileged information, including information protected by the attorney-client or other applicable privilege, or confidential, proprietary, or trade secret information.

Meta is not in a position to authenticate or verify account content. Such requests should be directed to the creator or recipient of the content. Meta also is not in a position to provide witnesses for trial or deposition. The appearance of a records custodian is unnecessary because any non-content records produced are self-authenticating.

Meta does not preserve information in response to third party subpoenas or private party or non-governmental requests. Such requests should be directed to the user.

Please correct all deficiencies in your subpoena before reserving.

Finally, if you are seeking early or pre-action discovery, please provide a court order authorizing such discovery.

Sincerely,
Meta Platforms, Inc.

NOTICE: This email (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. Unless you are the intended recipient, you may not use, copy, or retransmit the email or its contents.

EXHIBIT M

BIBIYAN LAW GROUP, P.C.
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rafael@tomorrowlaw.com
1460 Westwood Blvd.
Los Angeles, California 90024
Tel: (310) 438-5555; Fax: (310) 300-1705
Attorneys for Respondent RYAN MURPHY

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on behalf
of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited
liability company; STRIKE 3 HOLDINGS,
LLC, a Delaware limited liability company;
GENERAL MEDIA SYSTEMS, LLC, a
Delaware limited liability company; MIKE
MILLER, an individual; and DOES 1
through 100, inclusive,

Defendants.

CASE NO.: 2:23-cv-04901-WLH
(AGRx)

[Assigned to the Hon. Wesley L. Hsu]

**RESPONDENT RYAN MURPHY'S
SUPPLEMENTAL RESPONSES TO
DEFENDANTS' SUBPOENA TO
PRODUCE DOCUMENTS,
INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF
PREMISES IN A CIVIL ACTION**

1 Pursuant to the Federal Rules of Civil Procedure (“FRCP”), including FRCP
2 Rules 26 and 34, Respondent RYAN MURPHY (“Respondent”) responds as follows
3 to Defendants’ May 24, 2024 Subpoena to Produce Documents, Information, or
4 Objects or to Permit Inspection of Premises in a Civil Action.

5 **REQUEST NO. 1**

6 Produce all COMMUNICATIONS between YOU and any PERSON
7 regarding PLAINTIFF’s ENGAGEMENTS with DEFENDANTS

8 **RESPONSE TO REQUEST NO. 1:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 ///

1 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 1:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as he is no longer personally in
19 possession of the requested documentation. Respondent no longer has access to
20 communications responsive to this request as communications took place through his
21 work e-mail or his personal cell phone. Since the end of his employment with Motley
22 Models, Respondent has not had access to his work e-mails and thus no access to
23 communications. Furthermore, in March 2024, Respondent traded in his personal cell
24 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
25 back to factory settings and returned to AT&T and Respondent is no longer in
26 possession of responsive communications.

27 **REQUEST NO. 2**

28 Produce all COMMUNICATIONS between YOU and VISION RELATING

1 TO PLAINTIFF’S ENGAGEMENTS with DEFENDANTS

2 **RESPONSE TO REQUEST NO. 2:**

3 Respondent objects to this request. Respondent objects to this request as it
4 Respondent objects to this request. Respondent objects to this request as it breaches
5 his reasonable expectation of privacy, and his privacy rights outweigh the probative
6 value this information may provide to Defendants. Respondent objects to this request
7 to the extent it seeks privileged work product. Respondent objects to this request to
8 the extent it seeks information that is protected by attorney-client privilege.
9 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
10 time and/or scope. Respondent objects to this request as it is overbroad and is not
11 proportionate to the needs of the case. Respondent objects to this response as the
12 burden or expense in the production of these documents far outweighs the likely
13 benefit this document provides. This request is irrelevant as to Phase I discovery
14 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
15 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
16 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
17 objects to this request as all of the information requested is not reasonably accessible
18 to him because of undue burden or cost.

19 Notwithstanding said objections, Respondent states as follows: Respondent
20 cannot produce any requested documentation as he is either no longer personally in
21 possession of the requested documentation or has never been in possession of the
22 requested documents.

23 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 2:**

24 Respondent objects to this request. Respondent objects to this request as it
25 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
26 probative value this information may provide to Defendants. Respondent objects to
27 this request to the extent it seeks privileged work product. Respondent objects to this
28 request to the extent it seeks information that is protected by attorney-client privilege.

1 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
2 time and/or scope. Respondent objects to this request as it is overbroad and is not
3 proportionate to the needs of the case. Respondent objects to this response as the
4 burden or expense in the production of these documents far outweighs the likely
5 benefit this document provides. This request is irrelevant as to Phase I discovery
6 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
7 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
8 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
9 objects to this request as all of the information requested is not reasonably accessible
10 to him because of undue burden or cost.

11 Notwithstanding said objections, Respondent states as follows: Respondent
12 cannot produce any requested documentation as he is no longer personally in
13 possession of the requested documentation. Respondent no longer has access to
14 communications responsive to this request as communications took place through his
15 work e-mail or his personal cell phone. Since the end of his employment with Motley
16 Models, Respondent has not had access to his work e-mails and thus no access to
17 communications. Furthermore, in March 2024, Respondent traded in his personal cell
18 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
19 back to factory settings and returned to AT&T and Respondent is no longer in
20 possession of responsive communications.

21 **REQUEST NO. 3**

22 Produce all COMMUNICATIONS between YOU and ROCK RELATING
23 TO PLAINTIFF's ENGAGEMENTS with DEFENDANTS

24 **RESPONSE TO REQUEST NO. 3:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 3:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as the documents do not exist.
6 Respondent did not communicate with ROCK regarding Plaintiff's engagements with
7 Defendants.

8 **REQUEST NO. 4**

9 Produce all COMMUNICATIONS between YOU and SUPRO RELATING
10 TO PLAINTIFF'S ENGAGEMENTS with DEFENDANTS.

11 **RESPONSE TO REQUEST NO. 4:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 cannot produce any requested documentation as he is either no longer personally in

1 possession of the requested documentation or has never been in possession of the
2 requested documents.

3 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:**

4 Respondent objects to this request. Respondent objects to this request as it
5 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
6 probative value this information may provide to Defendants. Respondent objects to
7 this request to the extent it seeks privileged work product. Respondent objects to this
8 request to the extent it seeks information that is protected by attorney-client privilege.
9 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
10 time and/or scope. Respondent objects to this request as it is overbroad and is not
11 proportionate to the needs of the case. Respondent objects to this response as the
12 burden or expense in the production of these documents far outweighs the likely
13 benefit this document provides. This request is irrelevant as to Phase I discovery
14 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
15 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
16 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
17 objects to this request as all of the information requested is not reasonably accessible
18 to him because of undue burden or cost.

19 Notwithstanding said objections, Respondent states as follows: Respondent
20 cannot produce any requested documentation as the documents do not exist.
21 Respondent did not communicate with SUPRO regarding Plaintiff's engagements
22 with Defendants.

23 **REQUEST NO. 5**

24 Produce all COMMUNICATIONS between YOU and APPLEBAUM
25 RELATING TO PLAINTIFF's ENGAGEMENTS with DEFENDANT.

26 **RESPONSE TO REQUEST NO. 5:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is either no longer personally in
16 possession of the requested documentation or has never been in possession of the
17 requested documents.

18 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 5:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 cannot produce any requested documentation as the documents do not exist.
8 Respondent did not communicate with APPLEBAUM regarding Plaintiff's
9 engagements with Defendants.

10 **REQUEST NO. 6**

11 Produce all COMMUNICATIONS between YOU and PLAINTIFF
12 RELATING TO PLAINTIFF's ENGAGEMENTS with DEFENDANT.

13 **RESPONSE TO REQUEST NO. 6:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as he is either no longer personally in
3 possession of the requested documentation or has never been in possession of the
4 requested documents.

5 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 6:**

6 Respondent objects to this request. Respondent objects to this request as it
7 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
8 probative value this information may provide to Defendants. Respondent objects to
9 this request to the extent it seeks privileged work product. Respondent objects to this
10 request to the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is no longer personally in
23 possession of the requested documentation. Respondent no longer has access to
24 communications responsive to this request as communications took place through his
25 work e-mail or his personal cell phone. Since the end of his employment with Motley
26 Models, Respondent has not had access to his work e-mails and thus no access to
27 communications. Furthermore, in March 2024, Respondent traded in his personal cell
28 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset

1 back to factory settings and returned to AT&T and Respondent is no longer in
2 possession of responsive communications.

3 **REQUEST NO. 7**

4 Produce all COMMUNICATIONS between YOU and VISION RELATING
5 TO THIS MATTER.

6 **RESPONSE TO REQUEST NO. 7:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is either no longer personally in
24 possession of the requested documentation or has never been in possession of the
25 requested documents.

26 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 7:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is no longer personally in
16 possession of the requested documentation. Respondent no longer has access to
17 communications responsive to this request as communications took place through his
18 work e-mail or his personal cell phone. Since the end of his employment with Motley
19 Models, Respondent has not had access to his work e-mails and thus no access to
20 communications. Furthermore, in March 2024, Respondent traded in his personal cell
21 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
22 back to factory settings and returned to AT&T and Respondent is no longer in
23 possession of responsive communications.

24 **REQUEST NO. 8**

25 Produce all COMMUNICATIONS between YOU and PLAINTIFF
26 RELATING TO THIS MATTER.

27 **RESPONSE TO REQUEST NO. 8:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as he is either no longer personally in
17 possession of the requested documentation or has never been in possession of the
18 requested documents.

19 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 8:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 will produce all non-privileged documents within his possession, custody, and
9 control.

10 **REQUEST NO. 9**

11 Produce all COMMUNICATIONS between YOU and ANY PERSON
12 RELATING TO THIS MATTER.

13 **RESPONSE TO REQUEST NO. 9:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as he is either no longer personally in
3 possession of the requested documentation or has never been in possession of the
4 requested documents.

5 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 9:**

6 Respondent objects to this request. Respondent objects to this request as it
7 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
8 probative value this information may provide to Defendants. Respondent objects to
9 this request to the extent it seeks privileged work product. Respondent objects to this
10 request to the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 will produce all non-privileged documents within his possession, custody, and
23 control.

24 **REQUEST NO. 10**

25 Produce all DOCUMENTS RELATING TO YOUR contractual relationship
26 with PLAINTIFF, INCLUDING any agreement to serve as an agent for Plaintiff, and
27 any agreement providing for commissions payable to YOU in connection with
28 PLAINTIFF.

RESPONSE TO REQUEST NO. 10:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not proportionate to the needs of the case. Respondent objects to this response as the burden or expense in the production of these documents far outweighs the likely benefit this document provides. This request is irrelevant as to Phase I discovery which is limited to two threshold issues related to Plaintiff's individual claims; (i) whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff falls under the professional actor exemptions of IWC Wage Order 12. Respondent objects to this request as all of the information requested is not reasonably accessible to him because of undue burden or cost.

Notwithstanding said objections, Respondent states as follows: Respondent cannot produce any requested documentation as he is either no longer personally in possession of the requested documentation or has never been in possession of the requested documents.

SUPPLEMENTAL RESPONSE TO REQUEST NO. 10:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not

1 proportionate to the needs of the case. Respondent objects to this response as the
2 burden or expense in the production of these documents far outweighs the likely
3 benefit this document provides. This request is irrelevant as to Phase I discovery
4 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
5 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
6 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
7 objects to this request as all of the information requested is not reasonably accessible
8 to him because of undue burden or cost.

9 Notwithstanding said objections, Respondent states as follows: Respondent
10 cannot produce any requested documentation as he is no longer personally in
11 possession of the requested documentation. Respondent no longer has access to
12 documents responsive to this request as Respondent no longer works for Motley
13 Models. Since the end of his employment with Motley Models, Respondent has not
14 had access to his work e-mails or files.

15 **REQUEST NO. 11**

16 Produce all DOCUMENTS RELATING TO any commissions payable to YOU
17 in connection with PLAINTIFF's ENGAGEMENTS with DEFENDANTS,
18 INCLUDING any negotiable instruments (e.g., check), invoices, tax forms, or
19 accounting statements reflecting such payments.

20 **RESPONSE TO REQUEST NO. 11:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 cannot produce any requested documentation as he is either no longer personally in
10 possession of the requested documentation or has never been in possession of the
11 requested documents.

12 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 11:**

13 Respondent objects to this request. Respondent objects to this request as it
14 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
15 probative value this information may provide to Defendants. Respondent objects to
16 this request to the extent it seeks privileged work product. Respondent objects to this
17 request to the extent it seeks information that is protected by attorney-client privilege.
18 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
19 time and/or scope. Respondent objects to this request as it is overbroad and is not
20 proportionate to the needs of the case. Respondent objects to this response as the
21 burden or expense in the production of these documents far outweighs the likely
22 benefit this document provides. This request is irrelevant as to Phase I discovery
23 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
24 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
25 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
26 objects to this request as all of the information requested is not reasonably accessible
27 to him because of undue burden or cost.

28 Notwithstanding said objections, Respondent states as follows: Respondent

1 cannot produce any requested documentation as the documents do not exist.

2 **REQUEST NO. 12**

3 Produce all DOCUMENTS RELATING TO any payments between
4 PLAINTIFF and YOU in connection with DEFENDANTS, INCLUDING any
5 negotiable instruments (e.g., check), invoices, tax forms, or accounting statements
6 reflecting such payments.

7 **RESPONSE TO REQUEST NO. 12:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 cannot produce any requested documentation as he is either no longer personally in
25 possession of the requested documentation or has never been in possession of the
26 requested documents.

27 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 12:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as the documents do not exist.

17 **REQUEST NO. 13**

18 Produce all DOCUMENTS RELATING TO any payments between LOAN
19 OUT COMPANIES and YOU in connection with DEFENDANTS, INCLUDING any
20 negotiable instruments (e.g., check), invoices, tax forms, or accounting statements
21 reflecting such payments.

22 **RESPONSE TO REQUEST NO. 13:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 13:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as the documents do not exist.

4 **REQUEST NO. 14**

5 Produce all COMMUNICATIONS between YOU and Plaintiff relating to
6 PLAINTIFF's status as an independent contractor or employee in connection with
7 DEFENDANTS.

8 **RESPONSE TO REQUEST NO. 14:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost. Respondent objects to this request as this
24 request asks for the improper disclosure of expert testimony. Respondent objects to
25 this request as it asks for Respondent, a lay witness, to make an expert opinion.
26 Respondent objects to this request as it asks Respondent, a lay witness, to make a
27 legal conclusion

28 Notwithstanding said objections, Respondent states as follows: Respondent

1 cannot produce any requested documentation as he is either no longer personally in
2 possession of the requested documentation or has never been in possession of the
3 requested documents.

4 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 14:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as the documents do not exist.

22 **REQUEST NO. 15**

23 Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to
24 PLAINTIFF's status as an independent contractor or employee in connection with
25 any PERSON.

26 **RESPONSE TO REQUEST NO. 15:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost. Respondent objects to this request as this
14 request asks for the improper disclosure of expert testimony. Respondent objects to
15 this request as it asks for Respondent, a lay witness, to make an expert opinion.
16 Respondent objects to this request as it asks Respondent, a lay witness, to make a
17 legal conclusion

18 Notwithstanding said objections, Respondent states as follows: Respondent
19 cannot produce any requested documentation as he is either no longer personally in
20 possession of the requested documentation or has never been in possession of the
21 requested documents.

22 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 15:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as the documents do not exist.

12 **REQUEST NO. 16**

13 Produce all DOCUMENTS that reference PLAINTIFF'S LOAN OUT
14 COMPANIES, INCLUDING contracts, agreements, correspondence, invoices,
15 payment records, and financial statements related to any services provided by
16 PLAINTIFF through her LOAN OUT COMPANIES.

17 **RESPONSE TO REQUEST NO. 16:**

18 Respondent objects to this request. Respondent objects to this request as it
19 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
20 probative value this information may provide to Defendants. Respondent objects to
21 this request to the extent it seeks privileged work product. Respondent objects to this
22 request to the extent it seeks information that is protected by attorney-client privilege.
23 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
24 time and/or scope. Respondent objects to this request as it is overbroad and is not
25 proportionate to the needs of the case. Respondent objects to this response as the
26 burden or expense in the production of these documents far outweighs the likely
27 benefit this document provides. This request is irrelevant as to Phase I discovery
28 which is limited to two threshold issues related to Plaintiff's individual claims; (i)

1 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
2 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
3 objects to this request as all of the information requested is not reasonably accessible
4 to him because of undue burden or cost.

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is either no longer personally in
7 possession of the requested documentation or has never been in possession of the
8 requested documents.

9 ///

10 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:**

11 Respondent objects to this request. Respondent objects to this request as it
12 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
13 probative value this information may provide to Defendants. Respondent objects to
14 this request to the extent it seeks privileged work product. Respondent objects to this
15 request to the extent it seeks information that is protected by attorney-client privilege.
16 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
17 time and/or scope. Respondent objects to this request as it is overbroad and is not
18 proportionate to the needs of the case. Respondent objects to this response as the
19 burden or expense in the production of these documents far outweighs the likely
20 benefit this document provides. This request is irrelevant as to Phase I discovery
21 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
22 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
23 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
24 objects to this request as all of the information requested is not reasonably accessible
25 to him because of undue burden or cost.

26 Notwithstanding said objections, Respondent states as follows: Respondent
27 cannot produce any requested documentation as he is no longer personally in
28 possession of the requested documentation. Respondent no longer has access to

1 documents responsive to this request as communications took place through his work
2 e-mail. Since the end of his employment with Motley Models, Respondent has not
3 had access to his work e-mails or files.

4 **REQUEST NO. 17**

5 Produce all DOCUMENTS between YOU and MOTLEY relating to
6 PLAINTIFF.

7 **RESPONSE TO REQUEST NO. 17:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 cannot produce any requested documentation as he is either no longer personally in
25 possession of the requested documentation or has never been in possession of the
26 requested documents.

27 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 17:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as he is no longer personally in
17 possession of the requested documentation. Respondent no longer has access to
18 documents responsive to this request as communications took place through his work
19 e-mail. Since the end of his employment with Motley Models, Respondent has not
20 had access to his work e-mails.

21 **REQUEST NO. 18**

22 Produce all DOCUMENTS between YOU and MOTLEY relating to
23 DEFENDANTS.

24 **RESPONSE TO REQUEST NO. 18:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 18:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is no longer personally in
6 possession of the requested documentation. Respondent no longer has access to
7 communications responsive to this request as communications took place through his
8 work e-mail or his personal cell phone. Since the end of his employment with Motley
9 Models, Respondent has not had access to his work e-mails and thus no access to
10 communications. Furthermore, in March 2024, Respondent traded in his personal cell
11 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
12 back to factory settings and returned to AT&T and Respondent is no longer in
13 possession of responsive communications.

14 **REQUEST NO. 19**

15 Produce all COMMUNICATIONS between YOU and MOTLEY relating to
16 PLAINTIFF's status as an independent contractor or employee in connection with
17 DEFENDANTS.

18 **RESPONSE TO REQUEST NO. 19:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost. Respondent objects to this request as this
6 request asks for the improper disclosure of expert testimony. Respondent objects to
7 this request as it asks for Respondent, a lay witness, to make an expert opinion.
8 Respondent objects to this request as it asks Respondent, a lay witness, to make a
9 legal conclusion

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 19:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is no longer personally in
4 possession of the requested documentation. Respondent no longer has access to
5 documents responsive to this request as communications took place through his work
6 e-mail. Since the end of his employment with Motley Models, Respondent has not
7 had access to his work e-mails.

8 **REQUEST NO. 20**

9 Produce all COMMUNICATIONS between YOU and ROCK relating to
10 PLAINTIFF's status as an independent contractor or employee in connection with
11 DEFENDANTS.

12 **RESPONSE TO REQUEST NO. 20:**

13 Respondent objects to this request. Respondent objects to this request as it
14 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
15 probative value this information may provide to Defendants. Respondent objects to
16 this request to the extent it seeks privileged work product. Respondent objects to this
17 request to the extent it seeks information that is protected by attorney-client privilege.
18 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
19 time and/or scope. Respondent objects to this request as it is overbroad and is not
20 proportionate to the needs of the case. Respondent objects to this response as the
21 burden or expense in the production of these documents far outweighs the likely
22 benefit this document provides. This request is irrelevant as to Phase I discovery
23 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
24 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
25 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
26 objects to this request as all of the information requested is not reasonably accessible
27 to him because of undue burden or cost. Respondent objects to this request as this
28 request asks for the improper disclosure of expert testimony. Respondent objects to

1 this request as it asks for Respondent, a lay witness, to make an expert opinion.
2 Respondent objects to this request as it asks Respondent, a lay witness, to make a
3 legal conclusion

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is either no longer personally in
6 possession of the requested documentation or has never been in possession of the
7 requested documents.

8 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 20:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as the documents do not exist.
26 Respondent did not communicate with ROCK regarding Plaintiff's engagements with
27 Defendants.

28 **REQUEST NO. 21**

1 Produce all COMMUNICATIONS between YOU and VISION relating to
2 PLAINTIFF's status as an independent contractor or employee in connection with
3 DEFENDANTS.

4 **RESPONSE TO REQUEST NO. 21:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost. Respondent objects to this request as this
20 request asks for the improper disclosure of expert testimony. Respondent objects to
21 this request as it asks for Respondent, a lay witness, to make an expert opinion.
22 Respondent objects to this request as it asks Respondent, a lay witness, to make a
23 legal conclusion

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 21:**

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not proportionate to the needs of the case. Respondent objects to this response as the burden or expense in the production of these documents far outweighs the likely benefit this document provides. This request is irrelevant as to Phase I discovery which is limited to two threshold issues related to Plaintiff's individual claims; (i) whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff falls under the professional actor exemptions of IWC Wage Order 12. Respondent objects to this request as all of the information requested is not reasonably accessible to him because of undue burden or cost.

Notwithstanding said objections, Respondent states as follows: Respondent cannot produce any requested documentation as the documents do not exist.

REQUEST NO. 22

Produce all COMMUNICATIONS between YOU and VISION relating to the statement posted on your Instagram story on January 24, 2024 where VISION said to you "Don't worry, you don't fuck me, I won't fuck you."

RESPONSE TO REQUEST NO. 22:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 22:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is no longer personally in
4 possession of the requested documentation. Respondent no longer has access to
5 communications responsive to this request as communications took place through his
6 personal cell phone. In March 2024, Respondent traded in his personal cell phone to
7 AT&T. As part of the trade-in process, Respondent's cell phone was reset back to
8 factory settings and returned to AT&T and Respondent is no longer in possession of
9 responsive communications.

10 **REQUEST NO. 23**

11 Produce all COMMUNICATIONS relating to "Vixen [sic] suspicions were
12 correct that Motley had something to do with [THIS MATTER] as Sid Visions was
13 the man who introduced Kenzie to her lawyer and bragged about how he convinced
14 her to do this" as stated in your January 24, 2024 Instagram story.

15 **RESPONSE TO REQUEST NO. 23:**

16 Respondent objects to this request. Respondent objects to this request as it
17 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
18 probative value this information may provide to Defendants. Respondent objects to
19 this request to the extent it seeks privileged work product. Respondent objects to this
20 request to the extent it seeks information that is protected by attorney-client privilege.
21 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
22 time and/or scope. Respondent objects to this request as it is overbroad and is not
23 proportionate to the needs of the case. Respondent objects to this response as the
24 burden or expense in the production of these documents far outweighs the likely
25 benefit this document provides. This request is irrelevant as to Phase I discovery
26 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
27 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
28 falls under the professional actor exemptions of IWC Wage Order 12. Respondent

1 objects to this request as all of the information requested is not reasonably accessible
2 to him because of undue burden or cost.

3 Notwithstanding said objections, Respondent states as follows: Respondent
4 cannot produce any requested documentation as he is either no longer personally in
5 possession of the requested documentation or has never been in possession of the
6 requested documents.

7 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 23:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 will produce all non-privileged documents within his possession, custody, and
25 control. In searching for responsive documents, Respondent accessed and searched
26 his Instagram account archive, text messages on his personal cell phone, and personal
27 e-mails.

28 ///

1 **REQUEST NO. 24**

2 Produce all COMMUNICATIONS relating to “Sid [sic] biggest issue with
3 Vixen was that they refused to book Charly. While circumstances of this is
4 complicated, it became a personal vendetta with them. Sid would make claims that
5 CIA and Interpol were investigating VMG overseas activity involving their shooter
6 and Agent Julia and made it his goal to take Vixen down. Him and Charly always
7 wanted to be in the know regardless of [sic] it was a rumor or fact and try to use that
8 against everyone which many of you may have been victim of” as stated in your
9 January 24, 2024 Instagram story.

10 **RESPONSE TO REQUEST NO. 24:**

11 Respondent objects to this request. Respondent objects to this request as it
12 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
13 probative value this information may provide to Defendants. Respondent objects to
14 this request to the extent it seeks privileged work product. Respondent objects to this
15 request to the extent it seeks information that is protected by attorney-client privilege.
16 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
17 time and/or scope. Respondent objects to this request as it is overbroad and is not
18 proportionate to the needs of the case. Respondent objects to this response as the
19 burden or expense in the production of these documents far outweighs the likely
20 benefit this document provides. This request is irrelevant as to Phase I discovery
21 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
22 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
23 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
24 objects to this request as all of the information requested is not reasonably accessible
25 to him because of undue burden or cost.

26 Notwithstanding said objections, Respondent states as follows: Respondent
27 cannot produce any requested documentation as he is either no longer personally in
28 possession of the requested documentation or has never been in possession of the

1 requested documents.

2 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 24:**

3 Respondent objects to this request. Respondent objects to this request as it
4 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
5 probative value this information may provide to Defendants. Respondent objects to
6 this request to the extent it seeks privileged work product. Respondent objects to this
7 request to the extent it seeks information that is protected by attorney-client privilege.
8 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
9 time and/or scope. Respondent objects to this request as it is overbroad and is not
10 proportionate to the needs of the case. Respondent objects to this response as the
11 burden or expense in the production of these documents far outweighs the likely
12 benefit this document provides. This request is irrelevant as to Phase I discovery
13 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
14 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
15 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
16 objects to this request as all of the information requested is not reasonably accessible
17 to him because of undue burden or cost.

18 Notwithstanding said objections, Respondent states as follows: Respondent
19 will produce all non-privileged documents within his possession, custody, and
20 control. In searching for responsive documents, Respondent accessed and searched
21 his Instagram account archive, text messages on his personal cell phone, and personal
22 e-mails.

23 **REQUEST NO. 25**

24 Produce all COMMUNICATIONS indicating VISION had a personal vendetta
25 against DEFENDANTS, as stated in your January 24, 2024 Instagram story.

26 **RESPONSE TO REQUEST NO. 25:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is either no longer personally in
16 possession of the requested documentation or has never been in possession of the
17 requested documents.

18 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 25:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 will produce all non-privileged documents within his possession, custody, and
8 control. In searching for responsive documents, Respondent accessed and searched
9 his Instagram account archive, text messages on his personal cell phone, and personal
10 e-mails.

11 **REQUEST NO. 26**

12 Produce all COMMUNICATIONS indicating VISION and SUMMER "have a
13 long history of shadiness" as stated in your January, 24, 2024 Instagram story.

14 **RESPONSE TO REQUEST NO. 26:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is either no longer personally in
4 possession of the requested documentation or has never been in possession of the
5 requested documents.

6 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 26:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 will produce all non-privileged documents within his possession, custody, and
24 control. In searching for responsive documents, Respondent accessed and searched
25 his Instagram account archive, text messages on his personal cell phone, and personal
26 e-mails.

27 **REQUEST NO. 27**

28 Produce all COMMUNICATIONS relating to "when Porn Crush first launched

1 Dave told me that Sid is running the site and this was confirmed by Sid directly to me
2 in September. Since then I've heard rumors he may actually own the site. I don't know
3 if that is actually true but maybe Austin King needs to clear this up and address why
4 someone with character issues such as Sid is involved with him" as stated in your
5 January, 24, 2024 Instagram story.

6 **RESPONSE TO REQUEST NO. 27:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is either no longer personally in
24 possession of the requested documentation or has never been in possession of the
25 requested documents.

26 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 27:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 will produce all non-privileged documents within his possession, custody, and
16 control. In searching for responsive documents, Respondent accessed and searched
17 his Instagram account archive, text messages on his personal cell phone, and personal
18 e-mails.

19 **REQUEST NO. 28**

20 Produce all COMMUNICATIONS relating to VISION'S character issues.

21 **RESPONSE TO REQUEST NO. 28:**

22 Respondent objects to this request. Respondent objects to this request as it
23 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
24 probative value this information may provide to Defendants. Respondent objects to
25 this request to the extent it seeks privileged work product. Respondent objects to this
26 request to the extent it seeks information that is protected by attorney-client privilege.
27 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
28 time and/or scope. Respondent objects to this request as it is overbroad and is not

1 proportionate to the needs of the case. Respondent objects to this response as the
2 burden or expense in the production of these documents far outweighs the likely
3 benefit this document provides. This request is irrelevant as to Phase I discovery
4 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
5 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
6 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
7 objects to this request as all of the information requested is not reasonably accessible
8 to him because of undue burden or cost.

9 Notwithstanding said objections, Respondent states as follows: Respondent
10 cannot produce any requested documentation as he is either no longer personally in
11 possession of the requested documentation or has never been in possession of the
12 requested documents.

13 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 28:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as the documents do not exist. In
3 searching for responsive documents, Respondent accessed and searched his Instagram
4 account archive, text messages on his personal cell phone, and personal e-mails.

5 **REQUEST NO. 29**

6 Produce all COMMUNICATIONS between YOU and KING relating to
7 DEFENDANTS.

8 **RESPONSE TO REQUEST NO. 29:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 ///

1 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 29:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as the documents do not exist. In
19 searching for responsive documents, Respondent accessed and searched his Instagram
20 account archive, text messages on his personal cell phone, and personal e-mails.

21 **REQUEST NO. 30**

22 Produce all COMMUNICATIONS between YOU and SUMMER relating to
23 DEFENDANTS.

24 **RESPONSE TO REQUEST NO. 30:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 30:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as the documents do not exist. In
6 searching for responsive documents, Respondent accessed and searched his Instagram
7 account archive, text messages on his personal cell phone, and personal e-mails.

8 **REQUEST NO. 31**

9 Produce all COMMUNICATIONS between YOU and BLF relating to
10 DEFENDANTS.

11 **RESPONSE TO REQUEST NO. 31:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 cannot produce any requested documentation as he is either no longer personally in

1 possession of the requested documentation or has never been in possession of the
2 requested documents.

3 **REQUEST NO. 32**

4 In native format, produce all data for the INSTAGRAM ACCOUNT. Data for
5 the INSTAGRAM ACCOUNT can be obtained by using the instructions under the
6 header “Downloading a copy of your information on Instagram”
7 at:<https://help.instagram.com/181231772500920>. Please produce this information in
8 HTML format.

9 **RESPONSE TO REQUEST NO. 32:**

10 Respondent objects to this request. Respondent objects to this request as it
11 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
12 probative value this information may provide to Defendants. Respondent objects to
13 this request to the extent it seeks privileged work product. Respondent objects to this
14 request to the extent it seeks information that is protected by attorney-client privilege.
15 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
16 time and/or scope. Respondent objects to this request as it is overbroad and is not
17 proportionate to the needs of the case. Respondent objects to this response as the
18 burden or expense in the production of these documents far outweighs the likely
19 benefit this document provides. This request is irrelevant as to Phase I discovery
20 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
21 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
22 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
23 objects to this request as all of the information requested is not reasonably accessible
24 to him because of undue burden or cost.

25 Notwithstanding said objections, Respondent states as follows: Respondent
26 cannot produce any requested documentation as he is either no longer personally in
27 possession of the requested documentation or has never been in possession of the
28 requested documents.

1 **REQUEST NO. 33**

2 Produce all COMMUNICATIONS between YOU and VISION relating to any
3 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

4 **RESPONSE TO REQUEST NO. 33:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is either no longer personally in
22 possession of the requested documentation or has never been in possession of the
23 requested documents.

24 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 33:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as the documents do not exist. In
14 searching for responsive documents, Respondent accessed and searched his Instagram
15 account archive, text messages on his personal cell phone, and personal e-mails.

16 **REQUEST NO. 34**

17 Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to
18 any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

19 **RESPONSE TO REQUEST NO. 34:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as he is either no longer personally in
9 possession of the requested documentation or has never been in possession of the
10 requested documents.

11 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 cannot produce any requested documentation as the documents do not exist. In

1 searching for responsive documents, Respondent accessed and searched his Instagram
2 account archive, text messages on his personal cell phone, and personal e-mails.

3 **REQUEST NO. 35**

4 Produce all COMMUNICATIONS between YOU and ROCK relating to any
5 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

6 **RESPONSE TO REQUEST NO. 35:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is either no longer personally in
24 possession of the requested documentation or has never been in possession of the
25 requested documents.

26 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 35:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as the documents do not exist. In
16 searching for responsive documents, Respondent accessed and searched his Instagram
17 account archive, text messages on his personal cell phone, and personal e-mails.

18 **REQUEST NO. 36**

19 Produce all COMMUNICATIONS between YOU and SUMMER relating to
20 any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

21 **RESPONSE TO REQUEST NO. 36:**

22 Respondent objects to this request. Respondent objects to this request as it
23 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
24 probative value this information may provide to Defendants. Respondent objects to
25 this request to the extent it seeks privileged work product. Respondent objects to this
26 request to the extent it seeks information that is protected by attorney-client privilege.
27 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
28 time and/or scope. Respondent objects to this request as it is overbroad and is not

1 proportionate to the needs of the case. Respondent objects to this response as the
2 burden or expense in the production of these documents far outweighs the likely
3 benefit this document provides. This request is irrelevant as to Phase I discovery
4 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
5 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
6 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
7 objects to this request as all of the information requested is not reasonably accessible
8 to him because of undue burden or cost.

9 Notwithstanding said objections, Respondent states as follows: Respondent
10 cannot produce any requested documentation as he is either no longer personally in
11 possession of the requested documentation or has never been in possession of the
12 requested documents.

13 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 36:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as the documents do not exist. In
3 searching for responsive documents, Respondent accessed and searched his Instagram
4 account archive, text messages on his personal cell phone, and personal e-mails.

5 **REQUEST NO. 37**

6 Produce all COMMUNICATIONS between YOU and SUPRO relating to any
7 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

8 **RESPONSE TO REQUEST NO. 37:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 37:**

1 Respondent objects to this request. Respondent objects to this request as it
2 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
3 probative value this information may provide to Defendants. Respondent objects to
4 this request to the extent it seeks privileged work product. Respondent objects to this
5 request to the extent it seeks information that is protected by attorney-client privilege.
6 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
7 time and/or scope. Respondent objects to this request as it is overbroad and is not
8 proportionate to the needs of the case. Respondent objects to this response as the
9 burden or expense in the production of these documents far outweighs the likely
10 benefit this document provides. This request is irrelevant as to Phase I discovery
11 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
12 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
13 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
14 objects to this request as all of the information requested is not reasonably accessible
15 to him because of undue burden or cost.

16 Notwithstanding said objections, Respondent states as follows: Respondent
17 cannot produce any requested documentation as the documents do not exist. In
18 searching for responsive documents, Respondent accessed and searched his Instagram
19 account archive, text messages on his personal cell phone, and personal e-mails.

20 **REQUEST NO. 38**

21 Produce all COMMUNICATIONS between YOU and PERFORMERS FIRST
22 AGENCY relating to any social media posts issued by YOU through the
23 INSTAGRAM ACCOUNT.

24 **RESPONSE TO REQUEST NO. 38:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 38:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as the documents do not exist. In
6 searching for responsive documents, Respondent accessed and searched his Instagram
7 account archive, text messages on his personal cell phone, and personal e-mails.

8 **REQUEST NO. 39**

9 Produce all DOCUMENTS RELATING TO any payment of money or other
10 consideration to YOU from any PERSON in connection with the editing, removal,
11 relocation, archiving, or deletion of any post on the INSTAGRAM ACCOUNT.

12 ///

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14 ///

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25 ///

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27 ///

28 ///

RESPONSE TO REQUEST NO. 39:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not proportionate to the needs of the case. Respondent objects to this response as the burden or expense in the production of these documents far outweighs the likely benefit this document provides. This request is irrelevant as to Phase I discovery which is limited to two threshold issues related to Plaintiff's individual claims; (i) whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff falls under the professional actor exemptions of IWC Wage Order 12. Respondent objects to this request as all of the information requested is not reasonably accessible to him because of undue burden or cost.

Notwithstanding said objections, Respondent states as follows: Respondent cannot produce any requested documentation as he is either no longer personally in possession of the requested documentation or has never been in possession of the requested documents.

SUPPLEMENTAL RESPONSE TO REQUEST NO. 39:

Respondent objects to this request. Respondent objects to this request as it breaches his reasonable expectation of privacy, and his privacy rights outweigh the probative value this information may provide to Defendants. Respondent objects to this request to the extent it seeks privileged work product. Respondent objects to this request to the extent it seeks information that is protected by attorney-client privilege. Respondent objects to this request as it is unreasonably overbroad and is unlimited in time and/or scope. Respondent objects to this request as it is overbroad and is not

1 proportionate to the needs of the case. Respondent objects to this response as the
2 burden or expense in the production of these documents far outweighs the likely
3 benefit this document provides. This request is irrelevant as to Phase I discovery
4 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
5 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
6 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
7 objects to this request as all of the information requested is not reasonably accessible
8 to him because of undue burden or cost.

9 Notwithstanding said objections, Respondent states as follows: Respondent
10 cannot produce any requested documentation as the documents do not exist. In
11 searching for responsive documents, Respondent accessed and searched his Instagram
12 account archive, text messages on his personal cell phone, and personal e-mails.

13
14
15 Dated: July 17, 2024

BIBIYAN LAW GROUP, P.C.

16
17
18 By: /s/ Sarah H. Cohen
19 DAVID D. BIBIYAN
20 JEFFREY D. KLEIN
21 SARAH H. COHEN
22 RAFAEL YEDOYAN
Attorneys for RESPONDENT RYAN
MURPHY
23
24
25
26
27
28

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May 29, 2024

VIA U.S. MAIL

Ryan Gerona Murphy;
3908 Camryn Holly St.
Las Vegas, NV 89129

Re: *Mackenzie Anne Thoma v. VNX Group LLC, et al.*
Central District of California, Case No. 2:23-CV-04901-WLH

Dear Mr. Murphy:

Please be advised that our firm, Bibiyan Law Group, P.C., represents Plaintiff Mackenzie Anne Thoma ("Plaintiff") in the above-referenced action. It is our understanding that VNX Group LLC ("Defendant") has subpoenaed documents from your company subject to privacy interests of Plaintiff and a third party arising under the United States Constitution and the California Constitution. Please note that counsel for Plaintiff intends to file a Motion to Quash to prevent their disclosure.

Under Code of Civil Procedure Section 1987.1 and Federal Rules of Civil Procedure Rule 45, when a Motion to Quash has been filed, the custodian of records and the deposition officer are prevented from producing records until the court orders their production. Disobedience (*i.e.*, producing records prior to the resolution of this issue) may be punishable by civil liability and court sanctions, including, in some instances, contempt of court.

The custodian of records must thus comply with its legal obligation not to release the requested records until the Court rules on Plaintiff's Motion to Quash, or the parties issue a joint statement regarding if and to what extent to comply with the subpoena.

Best regards.

Very truly yours,

BIBIYAN LAW GROUP, P.C.

/s/ Sarah H. Cohen
Sarah H. Cohen

cc: Brad Krane, bkane@kanelaw.la; Trey Brown, trey.brown@vixenmediagroup.com;
tb@dorado.law, Counsel for Defendants; (via e-mail only).



New highlight

Next

22
Nov

Apperently legal notices and letters
can't be sent to new owners of a
company when The Secretary of State
Office can't identify any



23
Jan

There are some things I am
going to say today...



Let's start with the personal stuff.

Sid Visions and PFA owe me 18k...



In September when I was let go
after the supposed sale of the
agency, Sid Visions and
Kristen Kaye got on the phone
with me. I was told by Sid that I
was going to be kept on the
payroll until things die down
due to the false accounts
about me and if I'm being
honest, flat out lies.

Sid offered to put something
in writing so I knew he wasn't
going to screw me. As soon as
I got off the phone I texted Sid
with a proposal of payment
which he said was doable...



I was told by Sid that since it
was a Friday that the lawyers
will have something written up
by Monday realistically. When
Monday came and went with
nothing in my inbox I
questioned Sid about it. I was
told by him "Don't worry, you
don't fuck me, I won't fuck you"

I did recieve a payment that
week and was told by Sid,
"See, I'm a man of my word"

That was the only payment
that I recieved...



Sid and Charly have a long
history of shadiness which
many in the industry have
already knew (I will share
more details on that later on
today) so I knew I wasn't going
to be brought back but since
him as the self proclaimed CEO
of this new agency offering
what I took as a severance
payment, I desperately
needed

I have a family and a son
starting college and those
close to me in this industry
knew that I was only working to
support them



This started a long downward
serial for me not just
financially but my mental
health. Many people that have
been close to me knows how
much I was an advocate of
mental health and the biggest
reason is because I suffer
from mental illness myself.
With the false statements
made about me, the death
threats I was receiving and
hitting rock bottom with my
finances all the progress that
achieved over the years to
maintain my mental health was
destroyed to the point I made
a failed attempted on my life



I never came into this industry
because I wanted to take
physical advantage of Talent
like some agents and that's
why I was never inappropriate
with any if you. Where I knew
there was lines and
boundaries and wouldn't ever
dare to cross those. I found an
opportunity to give my family a
better life then we had before
and for a small moment, I did. I
also wanted to try to protect
you from predators that were
always lurking and shit
shooters who wanted to
disvaule your brand for your
profit. When it all fell apart, I
felt I failed in both



For those who danced on the
grave of my career almost had
the opportunity to do it for
real. But I'm glad I'm still here
because my kids do need me
and I do have more to offer
this world and I'm doing my
damn hardest to get my life
back on track and I will
continue to do so for the three
most important people in my
life. The rest of the day I will
expose the true nature of who
PFA is really ran by and their
history in this industry.

Next up, Sid Visions and Charly
Summers...



One of the main issues

Sid hignest issue with Vixen





New highlight

Next

Sid Visions lies and manipulation ripped everything from me but I shouldn't be surprised, this is what he is known for. This is man who him and Dave used to send Charly out to hang out with girls in order to gain intel on them or others in the industry including their agents so it won't be a shock to anyone that he is involved in the Porn Crush website



One of the main issues between Vixen and Motley was the class action labor lawsuit filed by Kenzie Anne. Vixen suspicions were correct that Motley had something to do with it as Sid Visions was the man who introduced Kenzie to her lawyer and bragged about how he convinced her to do this. Now he and PFA wants to try and play nice with them again is extremely hypocritical. But that's not all with Sid attempting to disparage VMG and other companies...



Sid biggest issue with Vixen was that they refused to book Charly. While circumstances of this is complicated, it became a personal vendetta with them. Sid would make claims that CIA and interpol were investigating VMG overseas activity involving their shooter and Agent Julia and made it his goal to take Vixen down. Him and Charly always wanted to be in the know regardless of it was a rumor or fact and try to use that against everyone which many of you may have been victim of.



24

Jan confessed to me in September that he knew the rumored videos that Dave was taking were true and he knew all the way back in May and that's the reason why Charly wanted taken off the site. I live in Las Vegas and only step foot in the "Motley Manor" maybe 4 times total in a year and everyone who knows me knows that my time there is short and I go straight back home so honestly, I had no clue what Dave was doing or doing to others behind closed doors...



Maybe it was because he knew that my morals never truly aligned with him and he attempted to pull the veil over my eyes for that reason or he his personal life was so fucked up that he only allowed Sid to know since possibly they are on the same wave length when it comes to the dark side of things??? That unfortunately is an answer we will never know, but what I do know is, if Sid was so offend about what Dave was possibly doing, then why would he continue to work with him and be at his house at almost a daily basis? If Sid truly knew about Dave's dark side then he is the one who is complicit in Dave Rock's actions.



I believe Sid and Charly came into this industry in hopes that they would want to bring a hostile takeover not just of Motley but of the whole industry. Sid always talks about how he would want to buy out other agencies starting with Hussie and already mentioned his personal vendetta against Vixen in his hopes to one day own it. Both Sid and Charly used a lot of people's trust only to stab them in the back when the time was right. Dave bought into this and if the rumors are true, they are still best buddies to this day.



25

Jan

Motley Models is still in existence just using PFA as a new name without having it has a DBA under their license. There is no bill of sale in public records that the agency was ever sold. There is no evidence of new ownership so who owns it? From all legal standpoints it is still Dave. People aren't stupid so why are they continuing this ruse???



When Porn Crush first launched Dave told me that Sid is running the site and this was confirmed by Sid directly to me in September. Since then I've heard rumors he may actually own the site. I don't know if that is actually true but maybe Austin King needs to clear this up and address why someone with character issues such as Sid is involved with him



The irony of Sid rebranding Motley Models into the name Performer's First is that Sid is never about any Performer with the exception of his wife Charley. Sid refused to let any model out of their contract after the fake sale of Motley Models. He eventually caved to the pressure of one of his employees to do so but prior to he was ready to fire off threats using Dave Rock's lawyer Richard Freeman



26





New highlight

Next

The crazy thing and where the red flags came up for me was if the company was sold and there are new owners, then why are the contracts valid? And why is Sid using Dave's lawyer name in an attempt to possibly go after these models that were willing to fight Twice Baked Media Db a Motley Models on their possible invalid contracts?



26 Jan Dave bought the Jan Manor with the neip of Sid's money, it soon became clear and evident that I was only working to maintain Dave's lifestyle. With Dave and Sid working together my job became more difficult especially after Dan left and he fired all the help I had, I was doing everything on my own booking 60+ models without incentives and for the work I was doing, being completely underpaid...



In the beginning of last year, Dave and Sid cut my salary by 25% just because Dave couldn't financially be Dave Rock anymore. He was still acting like Hugh Hefner and only caring about his brand while I was the only one working on the front line making it more difficult to take care of my family. I wasn't out there flexing at events and parties or trying to living in a mansion. I was only living a modest life in a very modest house driving an average car while Dave flossed around L.A.



Many of you may have been hounded and harassed to give Dave money for many of his and Sid's gifts. Whether it be for parties that would only benefit Dave or for his house or many other numerous things he beg for that was honestly just an opportunity for him to keep up with this Brand he wanted to create for himself instead of the agency that I helped build.



Dave was Jekyll and Hyde a lot with me. Acting like he cared and my opinion matter and other times mostly during end of 2022 and 2023 tore me down. He held my job over my head, gaslit me and would make threats in regards to my career. I pleaded with Sid that they needed to take account of my mental health but dealing with two narcissists, it feel on deaf ears.



27 Jan Dave and Sid and Charly make an attempt to use my words against and to belittle my struggles with mental illness as they have done to many in the past including mocking those who want to get help and save their own lives be telling people they are locked away in the looney bin. They have no empathy towards others and will fake like they do until it's time to betray you.



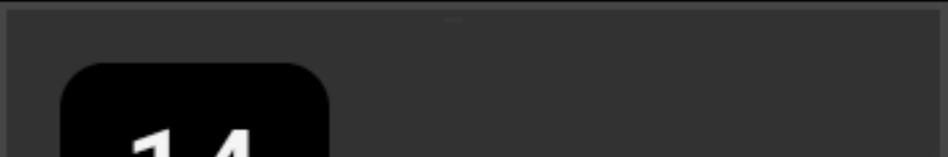
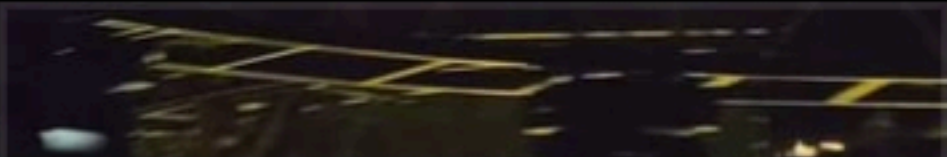
I almost made a choice that would have destroyed the closest people in my life and it's something that I can never forgive myself for but I here now and will always be there for them. There is help, there are people who care even when it seems the whole world is against you. Sometimes all it takes is a phone call. Do not others toxic behavior tear you down. There is always hope...



There is so much more I can say to fill a book or better yet a screenplay but I will go back to my regular IG nonsense after today. I wanted to thank those that have reached out and to those that have listened. It's been a struggle over the last four months but I'm picking up the pieces and moving on. Maybe I can use this opportunity to find fulfillment in a different industry or maybe I attempt to repair the burnt bridges and do my own thing in this one the way that I always wanted to do it??? You never know as the door is wide open now.



988



PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1460 Westwood Blvd., Los Angeles, CA 90024.

On July 17, 2024, I served the following document(s) described as:
RESPONDENT RYAN MURPHY'S SUPPLEMENTAL RESPONSES TO DEFENDANTS' SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

The above document(s) were served on the interested parties in this action as follows: *BY ELECTRONIC MAIL: I am readily familiar with our office's practice of electronic mail transmitted by electronic mail transmission and that the transmission was reported as complete and delivered, and without error.*

Brad S. Kane
Kane Law Firm
1154 S Crescent Heights Blvd.,
Los Angeles, Ca 90035
Office: 323-937-3291
bkane@kanelaw.la

Christian Waugh
Waugh PLLC
201 E. Pine St., Suite 315
Orlando, FL 32801
cwaugh@waugh.legal
Attorneys for Defendant, Vixen Media
Group

Trey Brown
trey.brown@vixenmediagroup.com
In House Counsel -Vixen Media Group

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 17, 2024 at Los Angeles,
California.

/s/ Nadia Rodriguez
Nadia Rodriguez

EXHIBIT N

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
(WESTERN DIVISION - LOS ANGELES)

MACKENZIE ANNE THOMA,)	CASE NO: 2:23-cv-04901-WLH-AGR
)	
Plaintiff,)	CIVIL
)	
vs.)	Los Angeles, California
)	
VXN GROUP, LLC, ET AL,)	Friday, July 19, 2024
)	
<u>Defendants.</u>)	(9:32 a.m. to 9:52 a.m.)

VIDEO DISCOVERY CONFERENCE

BEFORE THE HONORABLE ALICIA G. ROSENBERG,
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

SEE PAGE 2

Court Reporter: Recorded; CourtSmart

Courtroom Deputy: K. Lozada

Transcribed by: Exceptional Reporting Services, Inc.
P.O. Box 8365
Corpus Christi, TX 78468
361 949-2988

Proceedings recorded by electronic sound recording;
transcript produced by transcription service.

EXCEPTIONAL REPORTING SERVICES, INC

Los Angeles, California; Friday, July 19, 2024; 9:32 a.m.

(Call to Order)

THE CLERK: Calling Item Number 1, Case Number
CV-23-4901-WLH-AGR; *Mackenzie Anne Thoma versus VXX Group, LLC,*
et al.

Counsel, please state your appearances for the
record.

MS. COHEN: Good morning, Your Honor. Sarah Cohen
appearing on behalf of Plaintiff.

MR. KANE: Good morning, Your Honor. Brad Kane
appearing on behalf of Defendants.

MR. BROWN: Good morning, Your Honor. Trey Brown on
behalf of Defendants.

THE COURT: Okay. So about the issues for today,
first has to do -- I guess the first issue had to do with the
verification. So Mr. Murphy is a third party. Why is there an
issue about verification here?

MR. KANE: Your Honor, we're in a situation now where
we are the second attempt to get documents. The first attempt,
no documents. We said, hey, wait a second, Defendants have a
document. They then find the document. We told them that they
had and that they had known possession to Plaintiff's counsel.
And a few more from their Instagram and now they're able to
access it.

Well, I know there's more documents. I have in

1 possession at least one of them which I will be using in my
2 examination on Monday but it clearly indicates that the search
3 was not thorough, nor was this taken seriously.

4 **THE COURT:** I guess the issue is I don't see any
5 provision in Rule 45 that requires a verification from a third
6 party. So isn't this an issue that you address at the
7 deposition? I guess my question -- you know I realize this is
8 coming up at the last minute for me this morning but does
9 anyone have any authority on a requirement for a verification
10 from a third party under Rule 45?

11 **MR. KANE:** Well, Your Honor --

12 **MS. COHEN:** (inaudible).

13 **MR. KANE:** -- I have a case that I found that the
14 Court can order this. V5 Technologies v. Switch Limited,
15 33 2d. F.R.D. 356 at 366 through 67, District of Nevada 2019.
16 And in that case, Your Honor, it was a third-party deponent who
17 was ordered to verify this.

18 Now, you know, this is a unique situation which kind
19 of bleeds into the second issue which is that Ms. Cohen checked
20 her own Instagram archive, downloaded it and said it was too
21 much material. They didn't even download his and decided we're
22 not going to produce him. And that is, again, not really the
23 spirit or intent of what we discussed and you know --

24 **THE COURT:** This is in Number 32? So that that's --
25 let's go to that second issue because I haven't looked at this

1 deposition.

2 I'm happy to email directly to Your Honor the
3 document that I'm referring to because it clearly comes within
4 the scope of what we've asked for and she's just told us, oh,
5 there's other email now from people or other direct messages
6 and Instagram relating to the posts but we didn't bother
7 producing them --

8 **THE COURT:** Well she didn't say they didn't bother.
9 She saying it's not responsive to --

10 **MS. COHEN:** They're not --

11 **THE COURT:** -- (inaudible) request.

12 **MS. COHEN:** They're not responsive. Most of this
13 post it's about Ryan Murphy's separate employment issue with
14 his former employer, Your Honor. Nothing to do with
15 determining independent contractor. This is harassment, Your
16 Honor. We shouldn't be here.

17 **THE COURT:** Well but you know, we don't need to
18 reargue it. I'm just saying --

19 **(Voices overlap)**

20 **MS. COHEN:** Yeah. We shouldn't be here.

21 **THE COURT:** -- (inaudible) is not that Plaintiff's
22 counsel hasn't bothered to look. The dispute is over whether
23 the document you have is responsive to the doc -- to the -- you
24 know, the document request in the subpoena relevant to this
25 Instagram story. So that's --

CERTIFICATION

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.



Signed

July 27, 2024

Dated

TONI HUDSON, TRANSCRIBER

EXHIBIT O

1 **BIBIYAN LAW GROUP, P.C.**
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8

9 **IN THE UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11

12 MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on behalf
13 of all others similarly situated,

14 Plaintiff,

15 v.

16 VXN GROUP LLC, a Delaware limited
liability company; STRIKE 3 HOLDINGS,
17 LLC, a Delaware limited liability company;
GENERAL MEDIA SYSTEMS, LLC, a
18 Delaware limited liability company; MIKE
19 MILLER, an individual; and DOES 1
through 100, inclusive,

20 Defendants.
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25
26
27
28

CASE NO.: 2:23-cv-04901-WLH
(AGRx)

[Assigned to the Hon. Wesley L. Hsu]

**RESPONDENT RYAN MURPHY'S
SECOND SUPPLEMENTAL
RESPONSES TO DEFENDANTS'
SUBPOENA TO PRODUCE
DOCUMENTS, INFORMATION, OR
OBJECTS
OR TO PERMIT INSPECTION OF
PREMISES IN A CIVIL ACTION**

1 Pursuant to the Federal Rules of Civil Procedure (“FRCP”), including FRCP
2 Rules 26 and 34, Respondent RYAN MURPHY (“Respondent”) responds as follows
3 to Defendants’ May 24, 2024 Subpoena to Produce Documents, Information, or
4 Objects or to Permit Inspection of Premises in a Civil Action.

5 **REQUEST NO. 1**

6 Produce all COMMUNICATIONS between YOU and any PERSON
7 regarding PLAINTIFF’s ENGAGEMENTS with DEFENDANTS

8 **RESPONSE TO REQUEST NO. 1:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 ///

1 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 1:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as he is no longer personally in
19 possession of the requested documentation. Respondent no longer has access to
20 communications responsive to this request as communications took place through his
21 work e-mail or his personal cell phone. Since the end of his employment with Motley
22 Models, Respondent has not had access to his work e-mails and thus no access to
23 communications. Furthermore, in March 2024, Respondent traded in his personal cell
24 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
25 back to factory settings and returned to AT&T and Respondent is no longer in
26 possession of responsive communications.

27 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 1:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as he is not in possession, custody, or
17 control of responsive documents. Respondent no longer has access to
18 communications responsive to this request as communications took place through his
19 work e-mail or his personal cell phone. Since the end of his employment with Motley
20 Models, Respondent has not had access to his work e-mails and thus no access to
21 communications. Furthermore, in March 2024, Respondent traded in his personal cell
22 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
23 back to factory settings and returned to AT&T and Respondent is no longer in
24 possession of responsive communications. In searching for responsive documents,
25 Respondent accessed and searched his Instagram account archive, text messages on
26 his personal cell phone, personal e-mails, and cloud storage.

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28 ///

1 **REQUEST NO. 2**

2 Produce all COMMUNICATIONS between YOU and VISION RELATING
3 TO PLAINTIFF's ENGAGEMENTS with DEFENDANTS

4 **RESPONSE TO REQUEST NO. 2:**

5 Respondent objects to this request. Respondent objects to this request as it
6 Respondent objects to this request. Respondent objects to this request as it breaches
7 his reasonable expectation of privacy, and his privacy rights outweigh the probative
8 value this information may provide to Defendants. Respondent objects to this request
9 to the extent it seeks privileged work product. Respondent objects to this request to
10 the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as he is either no longer personally in
23 possession of the requested documentation or has never been in possession of the
24 requested documents.

25 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 2:**

26 Respondent objects to this request. Respondent objects to this request as it
27 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
28 probative value this information may provide to Defendants. Respondent objects to

1 this request to the extent it seeks privileged work product. Respondent objects to this
2 request to the extent it seeks information that is protected by attorney-client privilege.
3 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
4 time and/or scope. Respondent objects to this request as it is overbroad and is not
5 proportionate to the needs of the case. Respondent objects to this response as the
6 burden or expense in the production of these documents far outweighs the likely
7 benefit this document provides. This request is irrelevant as to Phase I discovery
8 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
9 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
10 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
11 objects to this request as all of the information requested is not reasonably accessible
12 to him because of undue burden or cost.

13 Notwithstanding said objections, Respondent states as follows: Respondent
14 cannot produce any requested documentation as he is no longer personally in
15 possession of the requested documentation. Respondent no longer has access to
16 communications responsive to this request as communications took place through his
17 work e-mail or his personal cell phone. Since the end of his employment with Motley
18 Models, Respondent has not had access to his work e-mails and thus no access to
19 communications. Furthermore, in March 2024, Respondent traded in his personal cell
20 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
21 back to factory settings and returned to AT&T and Respondent is no longer in
22 possession of responsive communications.

23 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 2:**

24 Respondent objects to this request. Respondent objects to this request as it
25 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
26 probative value this information may provide to Defendants. Respondent objects to
27 this request to the extent it seeks privileged work product. Respondent objects to this
28 request to the extent it seeks information that is protected by attorney-client privilege.

1 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
2 time and/or scope. Respondent objects to this request as it is overbroad and is not
3 proportionate to the needs of the case. Respondent objects to this response as the
4 burden or expense in the production of these documents far outweighs the likely
5 benefit this document provides. This request is irrelevant as to Phase I discovery
6 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
7 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
8 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
9 objects to this request as all of the information requested is not reasonably accessible
10 to him because of undue burden or cost.

11 Notwithstanding said objections, Respondent states as follows: Respondent
12 cannot produce any requested documentation as he is no longer in possession,
13 custody, or control of responsive documents. Respondent no longer has access to
14 communications responsive to this request as communications took place through his
15 work e-mail or his personal cell phone. Since the end of his employment with Motley
16 Models, Respondent has not had access to his work e-mails and thus no access to
17 communications. Furthermore, in March 2024, Respondent traded in his personal cell
18 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
19 back to factory settings and returned to AT&T and Respondent is no longer in
20 possession of responsive communications. In searching for responsive documents,
21 Respondent accessed and searched his Instagram account archive, text messages on
22 his personal cell phone, personal e-mails, and cloud storage.

23 **REQUEST NO. 3**

24 Produce all COMMUNICATIONS between YOU and ROCK RELATING
25 TO PLAINTIFF's ENGAGEMENTS with DEFENDANTS

26 **RESPONSE TO REQUEST NO. 3:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is either no longer personally in
16 possession of the requested documentation or has never been in possession of the
17 requested documents.

18 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 3:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 cannot produce any requested documentation as the documents do not exist.
8 Respondent did not communicate with ROCK regarding Plaintiff's engagements with
9 Defendants.

10 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 3:**

11 Respondent objects to this request. Respondent objects to this request as it
12 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
13 probative value this information may provide to Defendants. Respondent objects to
14 this request to the extent it seeks privileged work product. Respondent objects to this
15 request to the extent it seeks information that is protected by attorney-client privilege.
16 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
17 time and/or scope. Respondent objects to this request as it is overbroad and is not
18 proportionate to the needs of the case. Respondent objects to this response as the
19 burden or expense in the production of these documents far outweighs the likely
20 benefit this document provides. This request is irrelevant as to Phase I discovery
21 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
22 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
23 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
24 objects to this request as all of the information requested is not reasonably accessible
25 to him because of undue burden or cost.

26 Notwithstanding said objections, Respondent states as follows: Respondent
27 cannot produce any requested documentation as the documents do not exist.
28 Respondent did not communicate with ROCK regarding Plaintiff's engagements with

1 Defendants. In searching for responsive documents, Respondent accessed and
2 searched his Instagram account archive, text messages on his personal cell phone,
3 personal e-mails, and cloud storage.

4 **REQUEST NO. 4**

5 Produce all COMMUNICATIONS between YOU and SUPRO RELATING
6 TO PLAINTIFF’S ENGAGEMENTS with DEFENDANTS.

7 **RESPONSE TO REQUEST NO. 4:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 cannot produce any requested documentation as he is either no longer personally in
25 possession of the requested documentation or has never been in possession of the
26 requested documents.

27 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as the documents do not exist.
17 Respondent did not communicate with SUPRO regarding Plaintiff's engagements
18 with Defendants.

19 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as the documents do not exist.
9 Respondent cannot produce any requested documentation as he is not in possession,
10 custody, or control of responsive documents. Respondent did not communicate with
11 SUPRO regarding Plaintiff's engagements with Defendants. In searching for
12 responsive documents, Respondent accessed and searched his Instagram account
13 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

14 **REQUEST NO. 5**

15 Produce all COMMUNICATIONS between YOU and APPLEBAUM
16 RELATING TO PLAINTIFF's ENGAGEMENTS with DEFENDANT.

17 **RESPONSE TO REQUEST NO. 5:**

18 Respondent objects to this request. Respondent objects to this request as it
19 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
20 probative value this information may provide to Defendants. Respondent objects to
21 this request to the extent it seeks privileged work product. Respondent objects to this
22 request to the extent it seeks information that is protected by attorney-client privilege.
23 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
24 time and/or scope. Respondent objects to this request as it is overbroad and is not
25 proportionate to the needs of the case. Respondent objects to this response as the
26 burden or expense in the production of these documents far outweighs the likely
27 benefit this document provides. This request is irrelevant as to Phase I discovery
28 which is limited to two threshold issues related to Plaintiff's individual claims; (i)

1 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
2 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
3 objects to this request as all of the information requested is not reasonably accessible
4 to him because of undue burden or cost.

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is either no longer personally in
7 possession of the requested documentation or has never been in possession of the
8 requested documents.

9 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 5:**

10 Respondent objects to this request. Respondent objects to this request as it
11 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
12 probative value this information may provide to Defendants. Respondent objects to
13 this request to the extent it seeks privileged work product. Respondent objects to this
14 request to the extent it seeks information that is protected by attorney-client privilege.
15 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
16 time and/or scope. Respondent objects to this request as it is overbroad and is not
17 proportionate to the needs of the case. Respondent objects to this response as the
18 burden or expense in the production of these documents far outweighs the likely
19 benefit this document provides. This request is irrelevant as to Phase I discovery
20 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
21 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
22 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
23 objects to this request as all of the information requested is not reasonably accessible
24 to him because of undue burden or cost.

25 Notwithstanding said objections, Respondent states as follows: Respondent
26 cannot produce any requested documentation as the documents do not exist.
27 Respondent did not communicate with APPLEBAUM regarding Plaintiff's
28 engagements with Defendants.

1 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 5:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent cannot
18 produce any requested documentation as the documents do not exist. Respondent
19 cannot produce any requested documentation as he is not in possession, custody, or
20 control of responsive documents. Respondent did not communicate with
21 APPLEBAUM regarding Plaintiff's engagements with Defendants. In searching for
22 responsive documents, Respondent accessed and searched his Instagram account
23 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

24 **REQUEST NO. 6**

25 Produce all COMMUNICATIONS between YOU and PLAINTIFF
26 RELATING TO PLAINTIFF's ENGAGEMENTS with DEFENDANT.

27 **RESPONSE TO REQUEST NO. 6:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as he is either no longer personally in
17 possession of the requested documentation or has never been in possession of the
18 requested documents.

19 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 6:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as he is no longer personally in
9 possession of the requested documentation. Respondent no longer has access to
10 communications responsive to this request as communications took place through his
11 work e-mail or his personal cell phone. Since the end of his employment with Motley
12 Models, Respondent has not had access to his work e-mails and thus no access to
13 communications. Furthermore, in March 2024, Respondent traded in his personal cell
14 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
15 back to factory settings and returned to AT&T and Respondent is no longer in
16 possession of responsive communications.

17 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 6:**

18 Respondent objects to this request. Respondent objects to this request as it
19 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
20 probative value this information may provide to Defendants. Respondent objects to
21 this request to the extent it seeks privileged work product. Respondent objects to this
22 request to the extent it seeks information that is protected by attorney-client privilege.
23 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
24 time and/or scope. Respondent objects to this request as it is overbroad and is not
25 proportionate to the needs of the case. Respondent objects to this response as the
26 burden or expense in the production of these documents far outweighs the likely
27 benefit this document provides. This request is irrelevant as to Phase I discovery
28 which is limited to two threshold issues related to Plaintiff's individual claims; (i)

1 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
2 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
3 objects to this request as all of the information requested is not reasonably accessible
4 to him because of undue burden or cost.

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 cannot produce any requested documentation as he is not in possession, custody, or
7 control of responsive documents. Respondent no longer has access to
8 communications responsive to this request as communications took place through his
9 work e-mail or his personal cell phone. Since the end of his employment with Motley
10 Models, Respondent has not had access to his work e-mails and thus no access to
11 communications. Furthermore, in March 2024, Respondent traded in his personal cell
12 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
13 back to factory settings and returned to AT&T. In searching for responsive
14 documents, Respondent accessed and searched his Instagram account archive, text
15 messages on his personal cell phone, personal e-mails, and cloud storage.

16 **REQUEST NO. 7**

17 Produce all COMMUNICATIONS between YOU and VISION RELATING
18 TO THIS MATTER.

19 **RESPONSE TO REQUEST NO. 7:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as he is either no longer personally in
9 possession of the requested documentation or has never been in possession of the
10 requested documents.

11 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 7:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 cannot produce any requested documentation as he is no longer personally in

1 possession of the requested documentation. Respondent no longer has access to
2 communications responsive to this request as communications took place through his
3 work e-mail or his personal cell phone. Since the end of his employment with Motley
4 Models, Respondent has not had access to his work e-mails and thus no access to
5 communications. Furthermore, in March 2024, Respondent traded in his personal cell
6 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
7 back to factory settings and returned to AT&T and Respondent is no longer in
8 possession of responsive communications.

9 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 7:**

10 Respondent objects to this request. Respondent objects to this request as it
11 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
12 probative value this information may provide to Defendants. Respondent objects to
13 this request to the extent it seeks privileged work product. Respondent objects to this
14 request to the extent it seeks information that is protected by attorney-client privilege.
15 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
16 time and/or scope. Respondent objects to this request as it is overbroad and is not
17 proportionate to the needs of the case. Respondent objects to this response as the
18 burden or expense in the production of these documents far outweighs the likely
19 benefit this document provides. This request is irrelevant as to Phase I discovery
20 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
21 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
22 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
23 objects to this request as all of the information requested is not reasonably accessible
24 to him because of undue burden or cost.

25 Notwithstanding said objections, Respondent states as follows: Respondent
26 cannot produce any requested documentation as he is not in possession, custody, or
27 control of responsive documents. Respondent no longer has access to
28 communications responsive to this request as communications took place through his

1 work e-mail or his personal cell phone. Since the end of his employment with Motley
2 Models, Respondent has not had access to his work e-mails and thus no access to
3 communications. Furthermore, in March 2024, Respondent traded in his personal cell
4 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
5 back to factory settings and returned to AT&T. In searching for responsive
6 documents, Respondent accessed and searched his Instagram account archive, text
7 messages on his personal cell phone, personal e-mails, and cloud storage.

8 **REQUEST NO. 8**

9 Produce all COMMUNICATIONS between YOU and PLAINTIFF
10 RELATING TO THIS MATTER.

11 **RESPONSE TO REQUEST NO. 8:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 cannot produce any requested documentation as he is either no longer personally in

1 possession of the requested documentation or has never been in possession of the
2 requested documents.

3 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 8:**

4 Respondent objects to this request. Respondent objects to this request as it
5 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
6 probative value this information may provide to Defendants. Respondent objects to
7 this request to the extent it seeks privileged work product. Respondent objects to this
8 request to the extent it seeks information that is protected by attorney-client privilege.
9 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
10 time and/or scope. Respondent objects to this request as it is overbroad and is not
11 proportionate to the needs of the case. Respondent objects to this response as the
12 burden or expense in the production of these documents far outweighs the likely
13 benefit this document provides. This request is irrelevant as to Phase I discovery
14 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
15 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
16 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
17 objects to this request as all of the information requested is not reasonably accessible
18 to him because of undue burden or cost.

19 Notwithstanding said objections, Respondent states as follows: Respondent
20 will produce all non-privileged documents within his possession, custody, and
21 control.

22 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 8:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent will
11 produce all non-privileged documents within his possession, custody, and control. In
12 searching for responsive documents, Respondent accessed and searched his Instagram
13 account archive, text messages on his personal cell phone, personal e-mails, and cloud
14 storage.

15 **REQUEST NO. 9**

16 Produce all COMMUNICATIONS between YOU and ANY PERSON
17 RELATING TO THIS MATTER.

18 **RESPONSE TO REQUEST NO. 9:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 cannot produce any requested documentation as he is either no longer personally in
8 possession of the requested documentation or has never been in possession of the
9 requested documents.

10 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 9:**

11 Respondent objects to this request. Respondent objects to this request as it
12 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
13 probative value this information may provide to Defendants. Respondent objects to
14 this request to the extent it seeks privileged work product. Respondent objects to this
15 request to the extent it seeks information that is protected by attorney-client privilege.
16 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
17 time and/or scope. Respondent objects to this request as it is overbroad and is not
18 proportionate to the needs of the case. Respondent objects to this response as the
19 burden or expense in the production of these documents far outweighs the likely
20 benefit this document provides. This request is irrelevant as to Phase I discovery
21 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
22 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
23 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
24 objects to this request as all of the information requested is not reasonably accessible
25 to him because of undue burden or cost.

26 Notwithstanding said objections, Respondent states as follows: Respondent
27 will produce all non-privileged documents within his possession, custody, and
28 control.

1 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 9:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent will
18 produce all non-privileged documents within his possession, custody, and control. In
19 searching for responsive documents, Respondent accessed and searched his Instagram
20 account archive, text messages on his personal cell phone, personal e-mails, and cloud
21 storage.

22 **REQUEST NO. 10**

23 Produce all DOCUMENTS RELATING TO YOUR contractual relationship
24 with PLAINTIFF, INCLUDING any agreement to serve as an agent for Plaintiff, and
25 any agreement providing for commissions payable to YOU in connection with
26 PLAINTIFF.

27 **RESPONSE TO REQUEST NO. 10:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 cannot produce any requested documentation as he is either no longer personally in
17 possession of the requested documentation or has never been in possession of the
18 requested documents.

19 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 10:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as he is no longer personally in
9 possession of the requested documentation. Respondent no longer has access to
10 documents responsive to this request as Respondent no longer works for Motley
11 Models. Since the end of his employment with Motley Models, Respondent has not
12 had access to his work e-mails or files.

13 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 10:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent cannot
2 produce any requested documentation as he is not in possession, custody, or control
3 of responsive documents. Respondent no longer has access to documents responsive
4 to this request as Respondent no longer works for Motley Models. Since the end of
5 his employment with Motley Models, Respondent has not had access to his work e-
6 mails or files. In searching for responsive documents, Respondent accessed and
7 searched his Instagram account archive, text messages on his personal cell phone,
8 personal e-mails, and cloud storage.

9 **REQUEST NO. 11**

10 Produce all DOCUMENTS RELATING TO any commissions payable to YOU
11 in connection with PLAINTIFF's ENGAGEMENTS with DEFENDANTS,
12 INCLUDING any negotiable instruments (e.g., check), invoices, tax forms, or
13 accounting statements reflecting such payments.

14 **RESPONSE TO REQUEST NO. 11:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is either no longer personally in
4 possession of the requested documentation or has never been in possession of the
5 requested documents.

6 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 11:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as the documents do not exist.

24 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 11:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent is
13 not in possession, custody, or control of responsive documents as the documents do
14 not exist. In searching for responsive documents, Respondent accessed and searched
15 his Instagram account archive, text messages on his personal cell phone, personal e-
16 mails, and cloud storage.

17 **REQUEST NO. 12**

18 Produce all DOCUMENTS RELATING TO any payments between
19 PLAINTIFF and YOU in connection with DEFENDANTS, INCLUDING any
20 negotiable instruments (e.g., check), invoices, tax forms, or accounting statements
21 reflecting such payments.

22 **RESPONSE TO REQUEST NO. 12:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 12:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as the documents do not exist.

4 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 12:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent is
21 not in possession, custody, or control of responsive documents as the documents do
22 not exist. In searching for responsive documents, Respondent accessed and searched
23 his Instagram account archive, text messages on his personal cell phone, personal e-
24 mails, and cloud storage.

25 **REQUEST NO. 13**

26 Produce all DOCUMENTS RELATING TO any payments between LOAN
27 OUT COMPANIES and YOU in connection with DEFENDANTS, INCLUDING any
28 negotiable instruments (e.g., check), invoices, tax forms, or accounting statements

1 reflecting such payments.

2 **RESPONSE TO REQUEST NO. 13:**

3 Respondent objects to this request. Respondent objects to this request as it
4 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
5 probative value this information may provide to Defendants. Respondent objects to
6 this request to the extent it seeks privileged work product. Respondent objects to this
7 request to the extent it seeks information that is protected by attorney-client privilege.
8 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
9 time and/or scope. Respondent objects to this request as it is overbroad and is not
10 proportionate to the needs of the case. Respondent objects to this response as the
11 burden or expense in the production of these documents far outweighs the likely
12 benefit this document provides. This request is irrelevant as to Phase I discovery
13 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
14 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
15 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
16 objects to this request as all of the information requested is not reasonably accessible
17 to him because of undue burden or cost.

18 Notwithstanding said objections, Respondent states as follows: Respondent
19 cannot produce any requested documentation as he is either no longer personally in
20 possession of the requested documentation or has never been in possession of the
21 requested documents.

22 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 13:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as the documents do not exist.

12 **RESPONSE TO REQUEST NO. 13:**

13 Respondent objects to this request. Respondent objects to this request as it
14 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
15 probative value this information may provide to Defendants. Respondent objects to
16 this request to the extent it seeks privileged work product. Respondent objects to this
17 request to the extent it seeks information that is protected by attorney-client privilege.
18 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
19 time and/or scope. Respondent objects to this request as it is overbroad and is not
20 proportionate to the needs of the case. Respondent objects to this response as the
21 burden or expense in the production of these documents far outweighs the likely
22 benefit this document provides. This request is irrelevant as to Phase I discovery
23 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
24 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
25 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
26 objects to this request as all of the information requested is not reasonably accessible
27 to him because of undue burden or cost.

28 Notwithstanding said objections, Respondent states as follows: Respondent is

1 not in possession, custody, or control of responsive documents as the documents do
2 not exist. In searching for responsive documents, Respondent accessed and searched
3 his Instagram account archive, text messages on his personal cell phone, personal e-
4 mails, and cloud storage.

5 **REQUEST NO. 14**

6 Produce all COMMUNICATIONS between YOU and Plaintiff relating to
7 PLAINTIFF's status as an independent contractor or employee in connection with
8 DEFENDANTS.

9 **RESPONSE TO REQUEST NO. 14:**

10 Respondent objects to this request. Respondent objects to this request as it
11 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
12 probative value this information may provide to Defendants. Respondent objects to
13 this request to the extent it seeks privileged work product. Respondent objects to this
14 request to the extent it seeks information that is protected by attorney-client privilege.
15 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
16 time and/or scope. Respondent objects to this request as it is overbroad and is not
17 proportionate to the needs of the case. Respondent objects to this response as the
18 burden or expense in the production of these documents far outweighs the likely
19 benefit this document provides. This request is irrelevant as to Phase I discovery
20 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
21 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
22 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
23 objects to this request as all of the information requested is not reasonably accessible
24 to him because of undue burden or cost. Respondent objects to this request as this
25 request asks for the improper disclosure of expert testimony. Respondent objects to
26 this request as it asks for Respondent, a lay witness, to make an expert opinion.
27 Respondent objects to this request as it asks Respondent, a lay witness, to make a
28 legal conclusion

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as he is either no longer personally in
3 possession of the requested documentation or has never been in possession of the
4 requested documents.

5 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 14:**

6 Respondent objects to this request. Respondent objects to this request as it
7 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
8 probative value this information may provide to Defendants. Respondent objects to
9 this request to the extent it seeks privileged work product. Respondent objects to this
10 request to the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 cannot produce any requested documentation as the documents do not exist.

23 **RESPONSE TO REQUEST NO. 14:**

24 Respondent objects to this request. Respondent objects to this request as it
25 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
26 probative value this information may provide to Defendants. Respondent objects to
27 this request to the extent it seeks privileged work product. Respondent objects to this
28 request to the extent it seeks information that is protected by attorney-client privilege.

1 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
2 time and/or scope. Respondent objects to this request as it is overbroad and is not
3 proportionate to the needs of the case. Respondent objects to this response as the
4 burden or expense in the production of these documents far outweighs the likely
5 benefit this document provides. This request is irrelevant as to Phase I discovery
6 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
7 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
8 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
9 objects to this request as all of the information requested is not reasonably accessible
10 to him because of undue burden or cost. Respondent objects to this request as this
11 request asks for the improper disclosure of expert testimony. Respondent objects to
12 this request as it asks for Respondent, a lay witness, to make an expert opinion.
13 Respondent objects to this request as it asks Respondent, a lay witness, to make a
14 legal conclusion

15 Notwithstanding said objections, Respondent states as follows: Respondent is
16 not in possession, custody, or control of responsive documents as the documents do
17 not exist. In searching for responsive documents, Respondent accessed and searched
18 his Instagram account archive, text messages on his personal cell phone, personal e-
19 mails, and cloud storage.

20 **REQUEST NO. 15**

21 Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to
22 PLAINTIFF's status as an independent contractor or employee in connection with
23 any PERSON.

24 **RESPONSE TO REQUEST NO. 15:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost. Respondent objects to this request as this
12 request asks for the improper disclosure of expert testimony. Respondent objects to
13 this request as it asks for Respondent, a lay witness, to make an expert opinion.
14 Respondent objects to this request as it asks Respondent, a lay witness, to make a
15 legal conclusion

16 Notwithstanding said objections, Respondent states as follows: Respondent
17 cannot produce any requested documentation as he is either no longer personally in
18 possession of the requested documentation or has never been in possession of the
19 requested documents.

20 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 15:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 cannot produce any requested documentation as the documents do not exist.

10 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 15:**

11 Respondent objects to this request. Respondent objects to this request as it
12 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
13 probative value this information may provide to Defendants. Respondent objects to
14 this request to the extent it seeks privileged work product. Respondent objects to this
15 request to the extent it seeks information that is protected by attorney-client privilege.
16 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
17 time and/or scope. Respondent objects to this request as it is overbroad and is not
18 proportionate to the needs of the case. Respondent objects to this response as the
19 burden or expense in the production of these documents far outweighs the likely
20 benefit this document provides. This request is irrelevant as to Phase I discovery
21 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
22 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
23 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
24 objects to this request as all of the information requested is not reasonably accessible
25 to him because of undue burden or cost.

26 Notwithstanding said objections, Respondent states as follows: Respondent is
27 not in possession, custody, or control of responsive documents as the documents do
28 not exist. In searching for responsive documents, Respondent accessed and searched

1 his Instagram account archive, text messages on his personal cell phone, personal e-
2 mails, and cloud storage.

3 **REQUEST NO. 16**

4 Produce all DOCUMENTS that reference PLAINTIFF'S LOAN OUT
5 COMPANIES, INCLUDING contracts, agreements, correspondence, invoices,
6 payment records, and financial statements related to any services provided by
7 PLAINTIFF through her LOAN OUT COMPANIES.

8 **RESPONSE TO REQUEST NO. 16:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is either no longer personally in
26 possession of the requested documentation or has never been in possession of the
27 requested documents.

28 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:**

1 Respondent objects to this request. Respondent objects to this request as it
2 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
3 probative value this information may provide to Defendants. Respondent objects to
4 this request to the extent it seeks privileged work product. Respondent objects to this
5 request to the extent it seeks information that is protected by attorney-client privilege.
6 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
7 time and/or scope. Respondent objects to this request as it is overbroad and is not
8 proportionate to the needs of the case. Respondent objects to this response as the
9 burden or expense in the production of these documents far outweighs the likely
10 benefit this document provides. This request is irrelevant as to Phase I discovery
11 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
12 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
13 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
14 objects to this request as all of the information requested is not reasonably accessible
15 to him because of undue burden or cost.

16 Notwithstanding said objections, Respondent states as follows: Respondent
17 cannot produce any requested documentation as he is no longer personally in
18 possession of the requested documentation. Respondent no longer has access to
19 documents responsive to this request as communications took place through his work
20 e-mail. Since the end of his employment with Motley Models, Respondent has not
21 had access to his work e-mails or files.

22 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is not in possession, custody, or
12 control of responsive documents. Respondent no longer has access to documents
13 responsive to this request as communications took place through his work e-mail.
14 Since the end of his employment with Motley Models, Respondent has not had access
15 to his work e-mails or files. In searching for responsive documents, Respondent
16 accessed and searched his Instagram account archive, text messages on his personal
17 cell phone, personal e-mails, and cloud storage.

18 **REQUEST NO. 17**

19 Produce all DOCUMENTS between YOU and MOTLEY relating to
20 PLAINTIFF.

21 **RESPONSE TO REQUEST NO. 17:**

22 Respondent objects to this request. Respondent objects to this request as it
23 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
24 probative value this information may provide to Defendants. Respondent objects to
25 this request to the extent it seeks privileged work product. Respondent objects to this
26 request to the extent it seeks information that is protected by attorney-client privilege.
27 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
28 time and/or scope. Respondent objects to this request as it is overbroad and is not

1 proportionate to the needs of the case. Respondent objects to this response as the
2 burden or expense in the production of these documents far outweighs the likely
3 benefit this document provides. This request is irrelevant as to Phase I discovery
4 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
5 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
6 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
7 objects to this request as all of the information requested is not reasonably accessible
8 to him because of undue burden or cost.

9 Notwithstanding said objections, Respondent states as follows: Respondent
10 cannot produce any requested documentation as he is either no longer personally in
11 possession of the requested documentation or has never been in possession of the
12 requested documents.

13 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 17:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as he is no longer personally in
3 possession of the requested documentation. Respondent no longer has access to
4 documents responsive to this request as communications took place through his work
5 e-mail. Since the end of his employment with Motley Models, Respondent has not
6 had access to his work e-mails.

7 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 17:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 cannot produce any requested documentation as he is not in possession, custody, or
25 control of responsive documents. Respondent no longer has access to documents
26 responsive to this request as communications took place through his work e-mail.
27 Since the end of his employment with Motley Models, Respondent has not had access
28 to his work e-mails. In searching for responsive documents, Respondent accessed and

1 searched his Instagram account archive, text messages on his personal cell phone,
2 personal e-mails, and cloud storage.

3 **REQUEST NO. 18**

4 Produce all DOCUMENTS between YOU and MOTLEY relating to
5 DEFENDANTS.

6 **RESPONSE TO REQUEST NO. 18:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is either no longer personally in
24 possession of the requested documentation or has never been in possession of the
25 requested documents.

26 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 18:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is no longer personally in
16 possession of the requested documentation. Respondent no longer has access to
17 communications responsive to this request as communications took place through his
18 work e-mail or his personal cell phone. Since the end of his employment with Motley
19 Models, Respondent has not had access to his work e-mails and thus no access to
20 communications. Furthermore, in March 2024, Respondent traded in his personal cell
21 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
22 back to factory settings and returned to AT&T and Respondent is no longer in
23 possession of responsive communications.

24 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 18:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is not in possession, custody, or
14 control of responsive documents. Respondent no longer has access to
15 communications responsive to this request as communications took place through his
16 work e-mail or his personal cell phone. Since the end of his employment with Motley
17 Models, Respondent has not had access to his work e-mails and thus no access to
18 communications. Furthermore, in March 2024, Respondent traded in his personal cell
19 phone to AT&T. As part of the trade-in process, Respondent's cell phone was reset
20 back to factory settings and returned to AT&T and Respondent is no longer in
21 possession of responsive communications. In searching for responsive documents,
22 Respondent accessed and searched his Instagram account archive, text messages on
23 his personal cell phone, personal e-mails, and cloud storage.

24 **REQUEST NO. 19**

25 Produce all COMMUNICATIONS between YOU and MOTLEY relating to
26 PLAINTIFF's status as an independent contractor or employee in connection with
27 DEFENDANTS.

28 **RESPONSE TO REQUEST NO. 19:**

1 Respondent objects to this request. Respondent objects to this request as it
2 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
3 probative value this information may provide to Defendants. Respondent objects to
4 this request to the extent it seeks privileged work product. Respondent objects to this
5 request to the extent it seeks information that is protected by attorney-client privilege.
6 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
7 time and/or scope. Respondent objects to this request as it is overbroad and is not
8 proportionate to the needs of the case. Respondent objects to this response as the
9 burden or expense in the production of these documents far outweighs the likely
10 benefit this document provides. This request is irrelevant as to Phase I discovery
11 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
12 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
13 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
14 objects to this request as all of the information requested is not reasonably accessible
15 to him because of undue burden or cost. Respondent objects to this request as this
16 request asks for the improper disclosure of expert testimony. Respondent objects to
17 this request as it asks for Respondent, a lay witness, to make an expert opinion.
18 Respondent objects to this request as it asks Respondent, a lay witness, to make a
19 legal conclusion

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is either no longer personally in
22 possession of the requested documentation or has never been in possession of the
23 requested documents.

24 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 19:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is no longer personally in
14 possession of the requested documentation. Respondent no longer has access to
15 documents responsive to this request as communications took place through his work
16 e-mail. Since the end of his employment with Motley Models, Respondent has not
17 had access to his work e-mails.

18 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 19:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 cannot produce any requested documentation as he is not in possession, custody, or
8 control of responsive documents. Respondent no longer has access to documents
9 responsive to this request as communications took place through his work e-mail.
10 Since the end of his employment with Motley Models, Respondent has not had access
11 to his work e-mails. In searching for responsive documents, Respondent accessed and
12 searched his Instagram account archive, text messages on his personal cell phone,
13 personal e-mails, and cloud storage.

14 **REQUEST NO. 20**

15 Produce all COMMUNICATIONS between YOU and ROCK relating to
16 PLAINTIFF's status as an independent contractor or employee in connection with
17 DEFENDANTS.

18 **RESPONSE TO REQUEST NO. 20:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost. Respondent objects to this request as this
6 request asks for the improper disclosure of expert testimony. Respondent objects to
7 this request as it asks for Respondent, a lay witness, to make an expert opinion.
8 Respondent objects to this request as it asks Respondent, a lay witness, to make a
9 legal conclusion

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 20:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as the documents do not exist.
4 Respondent did not communicate with ROCK regarding Plaintiff's engagements with
5 Defendants.

6 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 20:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is not in possession, custody, or
24 control of responsive documents as the documents do not exist. Respondent did not
25 communicate with ROCK regarding Plaintiff's engagements with Defendants. In
26 searching for responsive documents, Respondent accessed and searched his Instagram
27 account archive, text messages on his personal cell phone, personal e-mails, and cloud
28 storage.

1 **REQUEST NO. 21**

2 Produce all COMMUNICATIONS between YOU and VISION relating to
3 PLAINTIFF's status as an independent contractor or employee in connection with
4 DEFENDANTS.

5 **RESPONSE TO REQUEST NO. 21:**

6 Respondent objects to this request. Respondent objects to this request as it
7 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
8 probative value this information may provide to Defendants. Respondent objects to
9 this request to the extent it seeks privileged work product. Respondent objects to this
10 request to the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost. Respondent objects to this request as this
21 request asks for the improper disclosure of expert testimony. Respondent objects to
22 this request as it asks for Respondent, a lay witness, to make an expert opinion.
23 Respondent objects to this request as it asks Respondent, a lay witness, to make a
24 legal conclusion

25 Notwithstanding said objections, Respondent states as follows: Respondent
26 cannot produce any requested documentation as he is either no longer personally in
27 possession of the requested documentation or has never been in possession of the
28 requested documents.

1 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 21:**

2 Respondent objects to this request. Respondent objects to this request as it
3 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
4 probative value this information may provide to Defendants. Respondent objects to
5 this request to the extent it seeks privileged work product. Respondent objects to this
6 request to the extent it seeks information that is protected by attorney-client privilege.
7 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
8 time and/or scope. Respondent objects to this request as it is overbroad and is not
9 proportionate to the needs of the case. Respondent objects to this response as the
10 burden or expense in the production of these documents far outweighs the likely
11 benefit this document provides. This request is irrelevant as to Phase I discovery
12 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
13 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
14 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
15 objects to this request as all of the information requested is not reasonably accessible
16 to him because of undue burden or cost.

17 Notwithstanding said objections, Respondent states as follows: Respondent
18 cannot produce any requested documentation as the documents do not exist.

19 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 21:**

20 Respondent objects to this request. Respondent objects to this request as it
21 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
22 probative value this information may provide to Defendants. Respondent objects to
23 this request to the extent it seeks privileged work product. Respondent objects to this
24 request to the extent it seeks information that is protected by attorney-client privilege.
25 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
26 time and/or scope. Respondent objects to this request as it is overbroad and is not
27 proportionate to the needs of the case. Respondent objects to this response as the
28 burden or expense in the production of these documents far outweighs the likely

1 benefit this document provides. This request is irrelevant as to Phase I discovery
2 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
3 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
4 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
5 objects to this request as all of the information requested is not reasonably accessible
6 to him because of undue burden or cost.

7 Notwithstanding said objections, Respondent states as follows: Respondent
8 cannot produce any requested documentation as he is not in possession, custody, or
9 control of responsive documents as the documents do not exist. In searching for
10 responsive documents, Respondent accessed and searched his Instagram account
11 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

12 **REQUEST NO. 22**

13 Produce all COMMUNICATIONS between YOU and VISION relating to the
14 statement posted on your Instagram story on January 24, 2024 where VISION said to
15 you "Don't worry, you don't fuck me, I won't fuck you."

16 **RESPONSE TO REQUEST NO. 22:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is either no longer personally in
6 possession of the requested documentation or has never been in possession of the
7 requested documents.

8 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 22:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is no longer personally in
26 possession of the requested documentation. Respondent no longer has access to
27 communications responsive to this request as communications took place through his
28 personal cell phone. In March 2024, Respondent traded in his personal cell phone to

1 AT&T. As part of the trade-in process, Respondent's cell phone was reset back to
2 factory settings and returned to AT&T and Respondent is no longer in possession of
3 responsive communications.

4 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 22:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is not in possession, custody, or
22 control of responsive documents. Respondent no longer has access to
23 communications responsive to this request as communications took place through his
24 personal cell phone. In March 2024, Respondent traded in his personal cell phone to
25 AT&T. As part of the trade-in process, Respondent's cell phone was reset back to
26 factory settings and returned to AT&T and Respondent is no longer in possession of
27 responsive communications. In searching for responsive documents, Respondent
28 accessed and searched his Instagram account archive, text messages on his personal

1 cell phone, personal e-mails, and cloud storage.

2 **REQUEST NO. 23**

3 Produce all COMMUNICATIONS relating to “Vixen [sic] suspicions were
4 correct that Motley had something to do with [THIS MATTER] as Sid Visions was
5 the man who introduced Kenzie to her lawyer and bragged about how he convinced
6 her to do this” as stated in your January 24, 2024 Instagram story.

7 **RESPONSE TO REQUEST NO. 23:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 cannot produce any requested documentation as he is either no longer personally in
25 possession of the requested documentation or has never been in possession of the
26 requested documents.

27 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 23:**

28 Respondent objects to this request. Respondent objects to this request as it

1 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
2 probative value this information may provide to Defendants. Respondent objects to
3 this request to the extent it seeks privileged work product. Respondent objects to this
4 request to the extent it seeks information that is protected by attorney-client privilege.
5 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
6 time and/or scope. Respondent objects to this request as it is overbroad and is not
7 proportionate to the needs of the case. Respondent objects to this response as the
8 burden or expense in the production of these documents far outweighs the likely
9 benefit this document provides. This request is irrelevant as to Phase I discovery
10 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
11 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
12 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
13 objects to this request as all of the information requested is not reasonably accessible
14 to him because of undue burden or cost.

15 Notwithstanding said objections, Respondent states as follows: Respondent
16 will produce all non-privileged documents within his possession, custody, and
17 control. In searching for responsive documents, Respondent accessed and searched
18 his Instagram account archive, text messages on his personal cell phone, and personal
19 e-mails.

20 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 23:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 will produce all non-privileged documents within his possession, custody, and
10 control. In searching for responsive documents, Respondent accessed and searched
11 his Instagram account archive, text messages on his personal cell phone, personal e-
12 mails, and cloud storage.

13 **REQUEST NO. 24**

14 Produce all COMMUNICATIONS relating to "Sid [sic] biggest issue with
15 Vixen was that they refused to book Charly. While circumstances of this is
16 complicated, it became a personal vendetta with them. Sid would make claims that
17 CIA and Interpol were investigating VMG overseas activity involving their shooter
18 and Agent Julia and made it his goal to take Vixen down. Him and Charly always
19 wanted to be in the know regardless of [sic] it was a rumor or fact and try to use that
20 against everyone which many of you may have been victim of" as stated in your
21 January 24, 2024 Instagram story.

22 **RESPONSE TO REQUEST NO. 24:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 24:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 will produce all non-privileged documents within his possession, custody, and
4 control. In searching for responsive documents, Respondent accessed and searched
5 his Instagram account archive, text messages on his personal cell phone, and personal
6 e-mails.

7 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 24:**

8 Respondent objects to this request. Respondent objects to this request as it
9 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
10 probative value this information may provide to Defendants. Respondent objects to
11 this request to the extent it seeks privileged work product. Respondent objects to this
12 request to the extent it seeks information that is protected by attorney-client privilege.
13 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
14 time and/or scope. Respondent objects to this request as it is overbroad and is not
15 proportionate to the needs of the case. Respondent objects to this response as the
16 burden or expense in the production of these documents far outweighs the likely
17 benefit this document provides. This request is irrelevant as to Phase I discovery
18 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
19 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
20 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
21 objects to this request as all of the information requested is not reasonably accessible
22 to him because of undue burden or cost.

23 Notwithstanding said objections, Respondent states as follows: Respondent
24 will produce all non-privileged documents within his possession, custody, and
25 control. In searching for responsive documents, Respondent accessed and searched
26 his Instagram account archive, text messages on his personal cell phone, personal e-
27 mails, and cloud storage.

28

1 **REQUEST NO. 25**

2 Produce all COMMUNICATIONS indicating VISION had a personal vendetta
3 against DEFENDANTS, as stated in your January 24, 2024 Instagram story.

4 **RESPONSE TO REQUEST NO. 25:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is either no longer personally in
22 possession of the requested documentation or has never been in possession of the
23 requested documents.

24 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 25:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 will produce all non-privileged documents within his possession, custody, and
14 control. In searching for responsive documents, Respondent accessed and searched
15 his Instagram account archive, text messages on his personal cell phone, and personal
16 e-mails.

17 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 25:**

18 Respondent objects to this request. Respondent objects to this request as it
19 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
20 probative value this information may provide to Defendants. Respondent objects to
21 this request to the extent it seeks privileged work product. Respondent objects to this
22 request to the extent it seeks information that is protected by attorney-client privilege.
23 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
24 time and/or scope. Respondent objects to this request as it is overbroad and is not
25 proportionate to the needs of the case. Respondent objects to this response as the
26 burden or expense in the production of these documents far outweighs the likely
27 benefit this document provides. This request is irrelevant as to Phase I discovery
28 which is limited to two threshold issues related to Plaintiff's individual claims; (i)

1 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
2 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
3 objects to this request as all of the information requested is not reasonably accessible
4 to him because of undue burden or cost.

5 Notwithstanding said objections, Respondent states as follows: Respondent
6 will produce all non-privileged documents within his possession, custody, and
7 control. In searching for responsive documents, Respondent accessed and searched
8 his Instagram account archive, text messages on his personal cell phone, personal e-
9 mails, and cloud storage.

10 **REQUEST NO. 26**

11 Produce all COMMUNICATIONS indicating VISION and SUMMER “have a
12 long history of shadiness” as stated in your January, 24, 2024 Instagram story.

13 **RESPONSE TO REQUEST NO. 26:**

14 Respondent objects to this request. Respondent objects to this request as it
15 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
16 probative value this information may provide to Defendants. Respondent objects to
17 this request to the extent it seeks privileged work product. Respondent objects to this
18 request to the extent it seeks information that is protected by attorney-client privilege.
19 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
20 time and/or scope. Respondent objects to this request as it is overbroad and is not
21 proportionate to the needs of the case. Respondent objects to this response as the
22 burden or expense in the production of these documents far outweighs the likely
23 benefit this document provides. This request is irrelevant as to Phase I discovery
24 which is limited to two threshold issues related to Plaintiff’s individual claims; (i)
25 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
26 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
27 objects to this request as all of the information requested is not reasonably accessible
28 to him because of undue burden or cost.

1 Notwithstanding said objections, Respondent states as follows: Respondent
2 cannot produce any requested documentation as he is either no longer personally in
3 possession of the requested documentation or has never been in possession of the
4 requested documents.

5 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 26:**

6 Respondent objects to this request. Respondent objects to this request as it
7 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
8 probative value this information may provide to Defendants. Respondent objects to
9 this request to the extent it seeks privileged work product. Respondent objects to this
10 request to the extent it seeks information that is protected by attorney-client privilege.
11 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
12 time and/or scope. Respondent objects to this request as it is overbroad and is not
13 proportionate to the needs of the case. Respondent objects to this response as the
14 burden or expense in the production of these documents far outweighs the likely
15 benefit this document provides. This request is irrelevant as to Phase I discovery
16 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
17 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
18 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
19 objects to this request as all of the information requested is not reasonably accessible
20 to him because of undue burden or cost.

21 Notwithstanding said objections, Respondent states as follows: Respondent
22 will produce all non-privileged documents within his possession, custody, and
23 control. In searching for responsive documents, Respondent accessed and searched
24 his Instagram account archive, text messages on his personal cell phone, and personal
25 e-mails.

26 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 26:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 will produce all non-privileged documents within his possession, custody, and
16 control. In searching for responsive documents, Respondent accessed and searched
17 his Instagram account archive, text messages on his personal cell phone, personal e-
18 mails, and cloud storage.

19 **REQUEST NO. 27**

20 Produce all COMMUNICATIONS relating to “when Porn Crush first launched
21 Dave told me that Sid is running the site and this was confirmed by Sid directly to me
22 in September. Since then I’ve heard rumors he may actually own the site. I don’t know
23 if that is actually true but maybe Austin King needs to clear this up and address why
24 someone with character issues such as Sid is involved with him” as stated in your
25 January, 24, 2024 Instagram story.

26 **RESPONSE TO REQUEST NO. 27:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is either no longer personally in
16 possession of the requested documentation or has never been in possession of the
17 requested documents.

18 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 27:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 will produce all non-privileged documents within his possession, custody, and
8 control. In searching for responsive documents, Respondent accessed and searched
9 his Instagram account archive, text messages on his personal cell phone, and personal
10 e-mails.

11 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 27:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
18 time and/or scope. Respondent objects to this request as it is overbroad and is not
19 proportionate to the needs of the case. Respondent objects to this response as the
20 burden or expense in the production of these documents far outweighs the likely
21 benefit this document provides. This request is irrelevant as to Phase I discovery
22 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
23 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
24 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
25 objects to this request as all of the information requested is not reasonably accessible
26 to him because of undue burden or cost.

27 Notwithstanding said objections, Respondent states as follows: Respondent
28 will produce all non-privileged documents within his possession, custody, and

1 control. In searching for responsive documents, Respondent accessed and searched
2 his Instagram account archive, text messages on his personal cell phone, personal e-
3 mails, and cloud storage.

4 **REQUEST NO. 28**

5 Produce all COMMUNICATIONS relating to VISION'S character issues.

6 **RESPONSE TO REQUEST NO. 28:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is either no longer personally in
24 possession of the requested documentation or has never been in possession of the
25 requested documents.

26 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 28:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as the documents do not exist. In
16 searching for responsive documents, Respondent accessed and searched his Instagram
17 account archive, text messages on his personal cell phone, and personal e-mails.

18 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 28:**

19 Respondent objects to this request. Respondent objects to this request as it
20 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
21 probative value this information may provide to Defendants. Respondent objects to
22 this request to the extent it seeks privileged work product. Respondent objects to this
23 request to the extent it seeks information that is protected by attorney-client privilege.
24 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
25 time and/or scope. Respondent objects to this request as it is overbroad and is not
26 proportionate to the needs of the case. Respondent objects to this response as the
27 burden or expense in the production of these documents far outweighs the likely
28 benefit this document provides. This request is irrelevant as to Phase I discovery

1 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
2 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
3 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
4 objects to this request as all of the information requested is not reasonably accessible
5 to him because of undue burden or cost.

6 Notwithstanding said objections, Respondent states as follows: Respondent
7 cannot produce any requested documentation as he is not in possession, custody, or
8 control of responsive documents as the documents do not exist. In searching for
9 responsive documents, Respondent accessed and searched his Instagram account
10 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

11 **REQUEST NO. 29**

12 Produce all COMMUNICATIONS between YOU and KING relating to
13 DEFENDANTS.

14 **RESPONSE TO REQUEST NO. 29:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as he is either no longer personally in
4 possession of the requested documentation or has never been in possession of the
5 requested documents.

6 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 29:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as the documents do not exist. In
24 searching for responsive documents, Respondent accessed and searched his Instagram
25 account archive, text messages on his personal cell phone, and personal e-mails.

26 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 29:**

27 Respondent objects to this request. Respondent objects to this request as it
28 breaches his reasonable expectation of privacy, and his privacy rights outweigh the

1 probative value this information may provide to Defendants. Respondent objects to
2 this request to the extent it seeks privileged work product. Respondent objects to this
3 request to the extent it seeks information that is protected by attorney-client privilege.
4 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
5 time and/or scope. Respondent objects to this request as it is overbroad and is not
6 proportionate to the needs of the case. Respondent objects to this response as the
7 burden or expense in the production of these documents far outweighs the likely
8 benefit this document provides. This request is irrelevant as to Phase I discovery
9 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
10 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
11 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
12 objects to this request as all of the information requested is not reasonably accessible
13 to him because of undue burden or cost.

14 Notwithstanding said objections, Respondent states as follows: Respondent
15 cannot produce any requested documentation as he is not in possession, custody, or
16 control of responsive documents as the documents do not exist. In searching for
17 responsive documents, Respondent accessed and searched his Instagram account
18 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

19 **REQUEST NO. 30**

20 Produce all COMMUNICATIONS between YOU and SUMMER relating to
21 DEFENDANTS.

22 **RESPONSE TO REQUEST NO. 30:**

23 Respondent objects to this request. Respondent objects to this request as it
24 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
25 probative value this information may provide to Defendants. Respondent objects to
26 this request to the extent it seeks privileged work product. Respondent objects to this
27 request to the extent it seeks information that is protected by attorney-client privilege.
28 Respondent objects to this request as it is unreasonably overbroad and is unlimited in

1 time and/or scope. Respondent objects to this request as it is overbroad and is not
2 proportionate to the needs of the case. Respondent objects to this response as the
3 burden or expense in the production of these documents far outweighs the likely
4 benefit this document provides. This request is irrelevant as to Phase I discovery
5 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
6 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
7 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
8 objects to this request as all of the information requested is not reasonably accessible
9 to him because of undue burden or cost.

10 Notwithstanding said objections, Respondent states as follows: Respondent
11 cannot produce any requested documentation as he is either no longer personally in
12 possession of the requested documentation or has never been in possession of the
13 requested documents.

14 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 30:**

15 Respondent objects to this request. Respondent objects to this request as it
16 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
17 probative value this information may provide to Defendants. Respondent objects to
18 this request to the extent it seeks privileged work product. Respondent objects to this
19 request to the extent it seeks information that is protected by attorney-client privilege.
20 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
21 time and/or scope. Respondent objects to this request as it is overbroad and is not
22 proportionate to the needs of the case. Respondent objects to this response as the
23 burden or expense in the production of these documents far outweighs the likely
24 benefit this document provides. This request is irrelevant as to Phase I discovery
25 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
26 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
27 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
28 objects to this request as all of the information requested is not reasonably accessible

1 to him because of undue burden or cost.

2 Notwithstanding said objections, Respondent states as follows: Respondent
3 cannot produce any requested documentation as the documents do not exist. In
4 searching for responsive documents, Respondent accessed and searched his Instagram
5 account archive, text messages on his personal cell phone, and personal e-mails.

6 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 30:**

7 Respondent objects to this request. Respondent objects to this request as it
8 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
9 probative value this information may provide to Defendants. Respondent objects to
10 this request to the extent it seeks privileged work product. Respondent objects to this
11 request to the extent it seeks information that is protected by attorney-client privilege.
12 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
13 time and/or scope. Respondent objects to this request as it is overbroad and is not
14 proportionate to the needs of the case. Respondent objects to this response as the
15 burden or expense in the production of these documents far outweighs the likely
16 benefit this document provides. This request is irrelevant as to Phase I discovery
17 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
18 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
19 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
20 objects to this request as all of the information requested is not reasonably accessible
21 to him because of undue burden or cost.

22 Notwithstanding said objections, Respondent states as follows: Respondent
23 cannot produce any requested documentation as he is not in possession, custody, or
24 control of responsive documents as the documents do not exist. In searching for
25 responsive documents, Respondent accessed and searched his Instagram account
26 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

27 **REQUEST NO. 31**

28 Produce all COMMUNICATIONS between YOU and BLF relating to

1 DEFENDANTS.

2 **RESPONSE TO REQUEST NO. 31:**

3 Respondent objects to this request. Respondent objects to this request as it
4 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
5 probative value this information may provide to Defendants. Respondent objects to
6 this request to the extent it seeks privileged work product. Respondent objects to this
7 request to the extent it seeks information that is protected by attorney-client privilege.
8 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
9 time and/or scope. Respondent objects to this request as it is overbroad and is not
10 proportionate to the needs of the case. Respondent objects to this response as the
11 burden or expense in the production of these documents far outweighs the likely
12 benefit this document provides. This request is irrelevant as to Phase I discovery
13 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
14 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
15 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
16 objects to this request as all of the information requested is not reasonably accessible
17 to him because of undue burden or cost.

18 Notwithstanding said objections, Respondent states as follows: Respondent
19 cannot produce any requested documentation as he is either no longer personally in
20 possession of the requested documentation or has never been in possession of the
21 requested documents.

22 **REQUEST NO. 32**

23 In native format, produce all data for the INSTAGRAM ACCOUNT. Data for
24 the INSTAGRAM ACCOUNT can be obtained by using the instructions under the
25 header "Downloading a copy of your information on Instagram"
26 at:<https://help.instagram.com/181231772500920>. Please produce this information in
27 HTML format.

28 **RESPONSE TO REQUEST NO. 32:**

1 Respondent objects to this request. Respondent objects to this request as it
2 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
3 probative value this information may provide to Defendants. Respondent objects to
4 this request to the extent it seeks privileged work product. Respondent objects to this
5 request to the extent it seeks information that is protected by attorney-client privilege.
6 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
7 time and/or scope. Respondent objects to this request as it is overbroad and is not
8 proportionate to the needs of the case. Respondent objects to this response as the
9 burden or expense in the production of these documents far outweighs the likely
10 benefit this document provides. This request is irrelevant as to Phase I discovery
11 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
12 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
13 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
14 objects to this request as all of the information requested is not reasonably accessible
15 to him because of undue burden or cost.

16 Notwithstanding said objections, Respondent states as follows: Respondent
17 cannot produce any requested documentation as he is either no longer personally in
18 possession of the requested documentation or has never been in possession of the
19 requested documents.

20 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 32:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 will produce all non-privileged documents within his possession, custody, and
10 control. In searching for responsive documents, Respondent accessed and searched
11 his Instagram account archive, text messages on his personal cell phone, personal e-
12 mails, and cloud storage.

13 **REQUEST NO. 33**

14 Produce all COMMUNICATIONS between YOU and VISION relating to any
15 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

16 **RESPONSE TO REQUEST NO. 33:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is either no longer personally in
6 possession of the requested documentation or has never been in possession of the
7 requested documents.

8 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 33:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as the documents do not exist. In
26 searching for responsive documents, Respondent accessed and searched his Instagram
27 account archive, text messages on his personal cell phone, and personal e-mails.

28 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 33:**

1 Respondent objects to this request. Respondent objects to this request as it
2 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
3 probative value this information may provide to Defendants. Respondent objects to
4 this request to the extent it seeks privileged work product. Respondent objects to this
5 request to the extent it seeks information that is protected by attorney-client privilege.
6 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
7 time and/or scope. Respondent objects to this request as it is overbroad and is not
8 proportionate to the needs of the case. Respondent objects to this response as the
9 burden or expense in the production of these documents far outweighs the likely
10 benefit this document provides. This request is irrelevant as to Phase I discovery
11 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
12 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
13 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
14 objects to this request as all of the information requested is not reasonably accessible
15 to him because of undue burden or cost.

16 Notwithstanding said objections, Respondent states as follows: Respondent
17 cannot produce any requested documentation as he is not in possession, custody, or
18 control of responsive documents as the documents do not exist. In searching for
19 responsive documents, Respondent accessed and searched his Instagram account
20 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

21 **REQUEST NO. 34**

22 Produce all COMMUNICATIONS between YOU and PLAINTIFF relating to
23 any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

24 **RESPONSE TO REQUEST NO. 34:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is either no longer personally in
14 possession of the requested documentation or has never been in possession of the
15 requested documents.

16 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as the documents do not exist. In
6 searching for responsive documents, Respondent accessed and searched his Instagram
7 account archive, text messages on his personal cell phone, and personal e-mails.

8 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:**

9 Respondent objects to this request. Respondent objects to this request as it
10 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
11 probative value this information may provide to Defendants. Respondent objects to
12 this request to the extent it seeks privileged work product. Respondent objects to this
13 request to the extent it seeks information that is protected by attorney-client privilege.
14 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
15 time and/or scope. Respondent objects to this request as it is overbroad and is not
16 proportionate to the needs of the case. Respondent objects to this response as the
17 burden or expense in the production of these documents far outweighs the likely
18 benefit this document provides. This request is irrelevant as to Phase I discovery
19 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
20 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
21 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
22 objects to this request as all of the information requested is not reasonably accessible
23 to him because of undue burden or cost.

24 Notwithstanding said objections, Respondent states as follows: Respondent
25 cannot produce any requested documentation as he is not in possession, custody, or
26 control of responsive documents as the documents do not exist. In searching for
27 responsive documents, Respondent accessed and searched his Instagram account
28 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

1 **REQUEST NO. 35**

2 Produce all COMMUNICATIONS between YOU and ROCK relating to any
3 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

4 **RESPONSE TO REQUEST NO. 35:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as he is either no longer personally in
22 possession of the requested documentation or has never been in possession of the
23 requested documents.

24 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 35:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as the documents do not exist. In
14 searching for responsive documents, Respondent accessed and searched his Instagram
15 account archive, text messages on his personal cell phone, and personal e-mails.

16 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 35:**

17 Respondent objects to this request. Respondent objects to this request as it
18 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
19 probative value this information may provide to Defendants. Respondent objects to
20 this request to the extent it seeks privileged work product. Respondent objects to this
21 request to the extent it seeks information that is protected by attorney-client privilege.
22 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
23 time and/or scope. Respondent objects to this request as it is overbroad and is not
24 proportionate to the needs of the case. Respondent objects to this response as the
25 burden or expense in the production of these documents far outweighs the likely
26 benefit this document provides. This request is irrelevant as to Phase I discovery
27 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
28 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff

1 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
2 objects to this request as all of the information requested is not reasonably accessible
3 to him because of undue burden or cost.

4 Notwithstanding said objections, Respondent states as follows: Respondent
5 cannot produce any requested documentation as he is not in possession, custody, or
6 control of responsive documents as the documents do not exist. In searching for
7 responsive documents, Respondent accessed and searched his Instagram account
8 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

9 **REQUEST NO. 36**

10 Produce all COMMUNICATIONS between YOU and SUMMER relating to
11 any social media posts issued by YOU through the INSTAGRAM ACCOUNT.

12 **RESPONSE TO REQUEST NO. 36:**

13 Respondent objects to this request. Respondent objects to this request as it
14 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
15 probative value this information may provide to Defendants. Respondent objects to
16 this request to the extent it seeks privileged work product. Respondent objects to this
17 request to the extent it seeks information that is protected by attorney-client privilege.
18 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
19 time and/or scope. Respondent objects to this request as it is overbroad and is not
20 proportionate to the needs of the case. Respondent objects to this response as the
21 burden or expense in the production of these documents far outweighs the likely
22 benefit this document provides. This request is irrelevant as to Phase I discovery
23 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
24 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
25 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
26 objects to this request as all of the information requested is not reasonably accessible
27 to him because of undue burden or cost.

28 Notwithstanding said objections, Respondent states as follows: Respondent

1 cannot produce any requested documentation as he is either no longer personally in
2 possession of the requested documentation or has never been in possession of the
3 requested documents.

4 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 36:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
10 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
11 time and/or scope. Respondent objects to this request as it is overbroad and is not
12 proportionate to the needs of the case. Respondent objects to this response as the
13 burden or expense in the production of these documents far outweighs the likely
14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost.

20 Notwithstanding said objections, Respondent states as follows: Respondent
21 cannot produce any requested documentation as the documents do not exist. In
22 searching for responsive documents, Respondent accessed and searched his Instagram
23 account archive, text messages on his personal cell phone, and personal e-mails.

24 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 36:**

25 Respondent objects to this request. Respondent objects to this request as it
26 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
27 probative value this information may provide to Defendants. Respondent objects to
28 this request to the extent it seeks privileged work product. Respondent objects to this

1 request to the extent it seeks information that is protected by attorney-client privilege.
2 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
3 time and/or scope. Respondent objects to this request as it is overbroad and is not
4 proportionate to the needs of the case. Respondent objects to this response as the
5 burden or expense in the production of these documents far outweighs the likely
6 benefit this document provides. This request is irrelevant as to Phase I discovery
7 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
8 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
9 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
10 objects to this request as all of the information requested is not reasonably accessible
11 to him because of undue burden or cost.

12 Notwithstanding said objections, Respondent states as follows: Respondent
13 cannot produce any requested documentation as he is not in possession, custody, or
14 control of responsive documents as the documents do not exist. In searching for
15 responsive documents, Respondent accessed and searched his Instagram account
16 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

17 **REQUEST NO. 37**

18 Produce all COMMUNICATIONS between YOU and SUPRO relating to any
19 social media posts issued by YOU through the INSTAGRAM ACCOUNT.

20 **RESPONSE TO REQUEST NO. 37:**

21 Respondent objects to this request. Respondent objects to this request as it
22 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
23 probative value this information may provide to Defendants. Respondent objects to
24 this request to the extent it seeks privileged work product. Respondent objects to this
25 request to the extent it seeks information that is protected by attorney-client privilege.
26 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
27 time and/or scope. Respondent objects to this request as it is overbroad and is not
28 proportionate to the needs of the case. Respondent objects to this response as the

1 burden or expense in the production of these documents far outweighs the likely
2 benefit this document provides. This request is irrelevant as to Phase I discovery
3 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
4 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
5 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
6 objects to this request as all of the information requested is not reasonably accessible
7 to him because of undue burden or cost.

8 Notwithstanding said objections, Respondent states as follows: Respondent
9 cannot produce any requested documentation as he is either no longer personally in
10 possession of the requested documentation or has never been in possession of the
11 requested documents.

12 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 37:**

13 Respondent objects to this request. Respondent objects to this request as it
14 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
15 probative value this information may provide to Defendants. Respondent objects to
16 this request to the extent it seeks privileged work product. Respondent objects to this
17 request to the extent it seeks information that is protected by attorney-client privilege.
18 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
19 time and/or scope. Respondent objects to this request as it is overbroad and is not
20 proportionate to the needs of the case. Respondent objects to this response as the
21 burden or expense in the production of these documents far outweighs the likely
22 benefit this document provides. This request is irrelevant as to Phase I discovery
23 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
24 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
25 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
26 objects to this request as all of the information requested is not reasonably accessible
27 to him because of undue burden or cost.

28 Notwithstanding said objections, Respondent states as follows: Respondent

1 cannot produce any requested documentation as the documents do not exist. In
2 searching for responsive documents, Respondent accessed and searched his Instagram
3 account archive, text messages on his personal cell phone, and personal e-mails.

4 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 37:**

5 Respondent objects to this request. Respondent objects to this request as it
6 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
7 probative value this information may provide to Defendants. Respondent objects to
8 this request to the extent it seeks privileged work product. Respondent objects to this
9 request to the extent it seeks information that is protected by attorney-client privilege.
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14 benefit this document provides. This request is irrelevant as to Phase I discovery
15 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
16 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
17 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
18 objects to this request as all of the information requested is not reasonably accessible
19 to him because of undue burden or cost. Notwithstanding said objections, Respondent
20 states as follows: Respondent cannot produce any requested documentation as the
21 documents do not exist. Notwithstanding said objections, Respondent states as
22 follows: Respondent cannot produce any requested documentation as he is not in
23 possession, custody, or control of responsive documents as the documents do not
24 exist. In searching for responsive documents, Respondent accessed and searched his
25 Instagram account archive, text messages on his personal cell phone, personal e-mails,
26 and cloud storage.

27 **REQUEST NO. 38**

28 Produce all COMMUNICATIONS between YOU and PERFORMERS FIRST

1 AGENCY relating to any social media posts issued by YOU through the
2 INSTAGRAM ACCOUNT.

3 **RESPONSE TO REQUEST NO. 38:**

4 Respondent objects to this request. Respondent objects to this request as it
5 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
6 probative value this information may provide to Defendants. Respondent objects to
7 this request to the extent it seeks privileged work product. Respondent objects to this
8 request to the extent it seeks information that is protected by attorney-client privilege.
9 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
10 time and/or scope. Respondent objects to this request as it is overbroad and is not
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15 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
16 falls under the professional actor exemptions of IWC Wage Order 12. Respondent
17 objects to this request as all of the information requested is not reasonably accessible
18 to him because of undue burden or cost.

19 Notwithstanding said objections, Respondent states as follows: Respondent
20 cannot produce any requested documentation as he is either no longer personally in
21 possession of the requested documentation or has never been in possession of the
22 requested documents.

23 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 38:**

24 Respondent objects to this request. Respondent objects to this request as it
25 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
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27 this request to the extent it seeks privileged work product. Respondent objects to this
28 request to the extent it seeks information that is protected by attorney-client privilege.

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12 cannot produce any requested documentation as the documents do not exist. In
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14 account archive, text messages on his personal cell phone, and personal e-mails.

15 **SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 38:**

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17 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
18 probative value this information may provide to Defendants. Respondent objects to
19 this request to the extent it seeks privileged work product. Respondent objects to this
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26 which is limited to two threshold issues related to Plaintiff's individual claims; (i)
27 whether Plaintiff is an independent contractor or employee; and (ii) whether Plaintiff
28 falls under the professional actor exemptions of IWC Wage Order 12. Respondent

1 objects to this request as all of the information requested is not reasonably accessible
2 to him because of undue burden or cost.

3 Notwithstanding said objections, Respondent states as follows: Respondent
4 cannot produce any requested documentation as the documents do not exist. In
5 searching for responsive documents, Respondent accessed and searched his Instagram
6 account archive, text messages on his personal cell phone, and personal e-mails.

7 **REQUEST NO. 39**

8 Produce all DOCUMENTS RELATING TO any payment of money or other
9 consideration to YOU from any PERSON in connection with the editing, removal,
10 relocation, archiving, or deletion of any post on the INSTAGRAM ACCOUNT.

11 **RESPONSE TO REQUEST NO. 39:**

12 Respondent objects to this request. Respondent objects to this request as it
13 breaches his reasonable expectation of privacy, and his privacy rights outweigh the
14 probative value this information may provide to Defendants. Respondent objects to
15 this request to the extent it seeks privileged work product. Respondent objects to this
16 request to the extent it seeks information that is protected by attorney-client privilege.
17 Respondent objects to this request as it is unreasonably overbroad and is unlimited in
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27 Notwithstanding said objections, Respondent states as follows: Respondent
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2 requested documents.

3 **SUPPLEMENTAL RESPONSE TO REQUEST NO. 39:**

4 Respondent objects to this request. Respondent objects to this request as it
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6 probative value this information may provide to Defendants. Respondent objects to
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14 responsive documents, Respondent accessed and searched his Instagram account
15 archive, text messages on his personal cell phone, personal e-mails, and cloud storage.

16
17 Dated: July 20, 2024

BIBIYAN LAW GROUP, P.C.

18

19

20

By: */s/ Sarah H. Cohen*
DAVID D. BIBIYAN
JEFFREY D. KLEIN
SARAH H. COHEN
RAFAEL YEDOYAN
Attorneys for RESPONDENT RYAN
MURPHY

21

22

23

24

25

26

27

28



New highlight

Next

22
Nov

Apperently legal notices and letters
can't be sent to new owners of a
company when The Secretary of State
Office can't identify any



23
Jan

There are some things I am
going to say today...



Let's start with the personal stuff.

Sid Visions and PFA owe me 18k...



In September when I was let go
after the supposed sale of the
agency, Sid Visions and
Kristen Kaye got on the phone
with me. I was told by Sid that I
was going to be kept on the
payroll until things die down
due to the false accounts
about me and if I'm being
honest, flat out lies.

Sid offered to put something
in writing so I knew he wasn't
going to screw me. As soon as
I got off the phone I texted Sid
with a proposal of payment
which he said was doable...



I was told by Sid that since it
was a Friday that the lawyers
will have something written up
by Monday realistically. When
Monday came and went with
nothing in my inbox I
questioned Sid about it. I was
told by him "Don't worry, you
don't fuck me, I won't fuck you"

I did recieve a payment that
week and was told by Sid,
"See, I'm a man of my word"

That was the only payment
that I recieved...



Sid and Charly have a long
history of shadiness which
many in the industry have
already knew (I will share
more details on that later on
today) so I knew I wasn't going
to be brought back but since
him as the self proclaimed CEO
of this new agency offering
what I took as a severance
payment, I desperately
needed

I have a family and a son
starting college and those
close to me in this industry
knew that I was only working to
support them



This started a long downward
serial for me not just
financially but my mental
health. Many people that have
been close to me knows how
much I was an advocate of
mental health and the biggest
reason is because I suffer
from mental illness myself.
With the false statements
made about me, the death
threats I was receiving and
hitting rock bottom with my
finances all the progress that
achieved over the years to
maintain my mental health was
destroyed to the point I made
a failed attempted on my life



I never came into this industry
because I wanted to take
physical advantage of Talent
like some agents and that's
why I was never inappropriate
with any if you. Where I knew
there was lines and
boundaries and wouldn't ever
dare to cross those. I found an
opportunity to give my family a
better life then we had before
and for a small moment, I did. I
also wanted to try to protect
you from predators that were
always lurking and shit
shooters who wanted to
disvaule your brand for your
profit. When it all fell apart, I
felt I failed in both



For those who danced on the
grave of my career almost had
the opportunity to do it for
real. But I'm glad I'm still here
because my kids do need me
and I do have more to offer
this world and I'm doing my
damn hardest to get my life
back on track and I will
continue to do so for the three
most important people in my
life. The rest of the day I will
expose the true nature of who
PFA is really ran by and their
history in this industry.

Next up, Sid Visions and Charly
Summers...



One of the main issues

Sid hignest issue with Vixen





New highlight

Next

Sid Visions lies and manipulation ripped everything from me but I shouldn't be surprised, this is what he is known for. This is man who him and Dave used to send Charly out to hang out with girls in order to gain intel on them or others in the industry including their agents so it won't be a shock to anyone that he is involved in the Porn Crush website



One of the main issues between Vixen and Motley was the class action labor lawsuit filed by Kenzie Anne. Vixen suspicions were correct that Motley had something to do with it as Sid Visions was the man who introduced Kenzie to her lawyer and bragged about how he convinced her to do this. Now he and PFA wants to try and play nice with them again is extremely hypocritical. But that's not all with Sid attempting to disparage VMG and other companies...



Sid biggest issue with Vixen was that they refused to book Charly. While circumstances of this is complicated, it became a personal vendetta with them. Sid would make claims that CIA and interpol were investigating VMG overseas activity involving their shooter and Agent Julia and made it his goal to take Vixen down. Him and Charly always wanted to be in the know regardless of it was a rumor or fact and try to use that against everyone which many of you may have been victim of.



24

Jan confessed to me in September that he knew the rumored videos that Dave was taking were true and he knew all the way back in May and that's the reason why Charly wanted taken off the site. I live in Las Vegas and only step foot in the "Motley Manor" maybe 4 times total in a year and everyone who knows me knows that my time there is short and I go straight back home so honestly, I had no clue what Dave was doing or doing to others behind closed doors...



Maybe it was because he knew that my morals never truly aligned with him and he attempted to pull the veil over my eyes for that reason or he his personal life was so fucked up that he only allowed Sid to know since possibly they are on the same wave length when it comes to the dark side of things??? That unfortunately is an answer we will never know, but what I do know is, if Sid was so offend about what Dave was possibly doing, then why would he continue to work with him and be at his house at almost a daily basis? If Sid truly knew about Dave's dark side then he is the one who is complicit in Dave Rock's actions.



I believe Sid and Charly came into this industry in hopes that they would want to bring a hostile takeover not just of Motley but of the whole industry. Sid always talks about how he would want to buy out other agencies starting with Hussie and already mentioned his personal vendetta against Vixen in his hopes to one day own it. Both Sid and Charly used a lot of people's trust only to stab them in the back when the time was right. Dave bought into this and if the rumors are true, they are still best buddies to this day.



25

Jan

Motley Models is still in existence just using PFA as a new name without having it has a DBA under their license. There is no bill of sale in public records that the agency was ever sold. There is no evidence of new ownership so who owns it? From all legal standpoints it is still Dave. People aren't stupid so why are they continuing this ruse???



When Porn Crush first launched Dave told me that Sid is running the site and this was confirmed by Sid directly to me in September. Since then I've heard rumors he may actually own the site. I don't know if that is actually true but maybe Austin King needs to clear this up and address why someone with character issues such as Sid is involved with him



The irony of Sid rebranding Motley Models into the name Performer's First is that Sid is never about any Performer with the exception of his wife Charley. Sid refused to let any model out of their contract after the fake sale of Motley Models. He eventually caved to the pressure of one of his employees to do so but prior to he was ready to fire off threats using Dave Rock's lawyer Richard Freeman



26





New highlight

Next

The crazy thing and where the red flags came up for me was if the company was sold and there are new owners, then why are the contracts valid? And why is Sid using Dave's lawyer name in an attempt to possibly go after these models that were willing to fight Twice Baked Media Db a Motley Models on their possible invalid contracts?



26 Jan Dave bought the Manor with the help of Sid's money, it soon became clear and evident that I was only working to maintain Dave's lifestyle. With Dave and Sid working together my job became more difficult especially after Dan left and he fired all the help I had, I was doing everything on my own booking 60+ models without incentives and for the work I was doing, being completely underpaid...



In the beginning of last year, Dave and Sid cut my salary by 25% just because Dave couldn't financially be Dave Rock anymore. He was still acting like Hugh Hefner and only caring about his brand while I was the only one working on the front line making it more difficult to take care of my family. I wasn't out there flexing at events and parties or trying to living in a mansion. I was only living a modest life in a very modest house driving an average car while Dave flossed around L.A.



Many of you may have been hounded and harassed to give Dave money for many of his and Sid's gifts. Whether it be for parties that would only benefit Dave or for his house or many other numerous things he beg for that was honestly just an opportunity for him to keep up with this Brand he wanted to create for himself instead of the agency that I helped build.



Dave was Jekyll and Hyde a lot with me. Acting like he cared and my opinion matter and other times mostly during end of 2022 and 2023 tore me down. He held my job over my head, gaslit me and would make threats in regards to my career. I pleaded with Sid that they needed to take account of my mental health but dealing with two narcissists, it feel on deaf ears.



27 Jan Dave and Sid and Charly make an attempt to use my words against and to belittle my struggles with mental illness as they have done to many in the past including mocking those who want to get help and save their own lives be telling people they are locked away in the looney bin. They have no empathy towards others and will fake like they do until it's time to betray you.



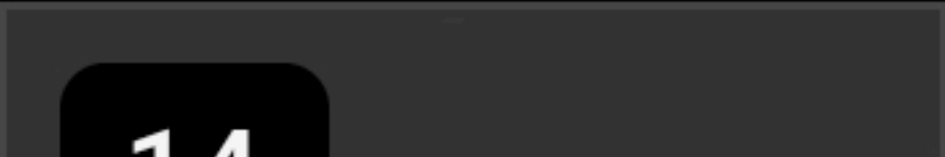
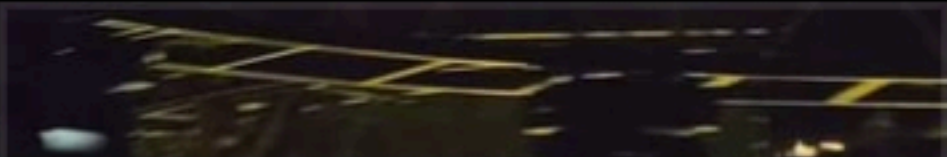
I almost made a choice that would have destroyed the closest people in my life and it's something that I can never forgive myself for but I here now and will always be there for them. There is help, there are people who care even when it seems the whole world is against you. Sometimes all it takes is a phone call. Do not others toxic behavior tear you down. There is always hope...



There is so much more I can say to fill a book or better yet a screenplay but I will go back to my regular IG nonsense after today. I wanted to thank those that have reached out and to those that have listened. It's been a struggle over the last four months but I'm picking up the pieces and moving on. Maybe I can use this opportunity to find fulfillment in a different industry or maybe I attempt to repair the burnt bridges and do my own thing in this one the way that I always wanted to do it??? You never know as the door is wide open now.



988





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MURPHY0005



PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1460 Westwood Blvd., Los Angeles, CA 90024.

On July 20, 2024, I caused a true and correct copy of the foregoing document(s) described as **RESPONDENT RYAN MURPHY'S SECOND SUPPLEMENTAL RESPONSES TO DEFENDANTS' SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION** to be served by electronic transmission to the below referenced electronic e-mail address as follows: The above document(s) were served on the interested parties in this action as follows: *BY ELECTRONIC MAIL: I am readily familiar with our office's practice of electronic mail transmitted by electronic mail transmission and that the transmission was reported as complete and delivered, and without error.*

Brad S. Kane
Kane Law Firm
bkane@kanelaw.la
Attorneys for Defendant, Vixen Media Group

Christian Waugh
cwaugh@waugh.legal
Attorneys for Defendant, Vixen Media
Group

Trey Brown
trey.brown@vixenmediagroup.com
In House Counsel -Vixen Media Group

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on July 20, 2024 at Los Angeles, California.

/s/ Sarah H. Cohen
Sarah H. Cohen

EXHIBIT P

Thursday, November 7, 2024 at 14:14:22 Pacific Standard Time

Subject: Re: Thoma v. VXN - Production of Subpoenaed Documents; Location of Depositions and Stipulated Protective.

Date: Monday, June 24, 2024 at 5:54:49 PM Pacific Daylight Time

From: Sarah Cohen

To: Brad Kane

CC: trey.brown@vixenmediagroup.com, David Bibiyan, Jeffrey Klein, Nadia Rodriguez, MackenzieAnneThomaZ11014082@tomorrowlaw.filevineapp.com, Rafael Yedoyan

Brad,

Thank you for your email.

We will get back to you with our edits to the Protective Order.

As for Ryan Murphy's deposition set for June 28, 2024, Mr. Murphy is unavailable on that day as he needs additional time to arrange his schedule around his family and his work. We plan to propose dates in the first half of July 2024. However, I would like to further meet and confer as to the location and logistics of the deposition. Mr. Murphy has raised concerns of death threats made to him by VXN representatives and does not feel safe appearing in person for his deposition. We are investigating this matter further as it came to our attention today but the bottom line is that Mr. Murphy will not appear in person given the circumstances. Furthermore, I will need confirmation of who will be present during the remote deposition of Mr. Murphy (e.g., attorneys or non-attorney representatives of the Defendants). We are requesting that no VXN representatives or representatives of Defendants (except counsel of record) are present.

Thank you.

On Fri, Jun 21, 2024 at 12:46PM Brad Kane <bkane@kanelaw.la> wrote:

Sarah and Rafael,

First, Defendants are willing to stipulate to the parties sharing all documents produced under subpoena.

Second, Defendants will require all deponents to appear in person for the depositions wherever located.

Third, Defendants are amenable to the Form Stipulated Protective Order. Since the Protective Order must be adapted to our case, Defendants have redlined: (i) section (1)(B) to reflect confidentiality issues that may arise if the litigation proceeds to Phase II discovery; (ii) section

2.1 the definition the Action; and (iii) section 4 Duration.

Further, Sarah mentioned in the conference with the Magistrate Judge that your client may want to make a few changes. Thus, please red line any changes, including updating the caption, so we can review and file by Tuesday, June 25, 2024.

Best,

Brad

Brad S. Kane

Kane Law Firm

1154 S. Crescent Hts. Blvd.

Los Angeles, CA 90035

Tel: (323) 697-9840

Fax: (323) 571-3579

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--

Kind regards,

Sarah Cohen, Esq.
Associate Attorney

Bibyan Law Group, P.C.
1460 Westwood Boulevard

Los Angeles, California 90024

Tel: (310) 438-5555

Fax: (310) 300-1705

www.tomorrowlaw.com



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EXHIBIT Q

BIBIYAN LAW GROUP, P.C.

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jason@tomorrowlaw.com

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Los Angeles, California 90024

Telephone: (310) 438-5555

Facsimile: (310) 300-1705

Attorneys for Plaintiff, MACKENZIE ANNE THOMA,

on behalf of herself and all others similarly situated

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on
behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited
liability company; MIKE MILLER, an
individual; and DOES 1 through 100,
inclusive,

Defendants.

CASE NO.: No. 2:23-cv 04901WLH (AGRx)

RYAN MURPHY'S PRIVILEGE LOG

RYAN MURPHY'S PRIVILEGE LOG

<u>Batestamp (documents not produced)</u>	<u>Date(s)</u>	<u>Type(s)</u>	<u>Description</u>	<u>Basis</u>
MURPHY0006	May 22, 2024	Text Message	Text Message between Plaintiff and Ryan Murphy	Attorney-Client Privilege
MURPHY0007	May 29, 2024	Text Message	Text Message between Plaintiff and Ryan Murphy	Attorney-Client Privilege
MURPHY0008	May 31, 2024	Text Message	Text Message between Plaintiff and Ryan Murphy	Attorney-Client Privilege

Dated: August 21, 2024

BIBIYAN LAW GROUP, P.C.

By: /s/ Sarah H. Cohen

DAVID D. BIBIYAN

JEFFREY D. KLEIN

SARAH H. COHEN

JASON ROTHMAN

RAFAEL YEDOYAN

Attorneys for Plaintiff MACKENZIE

ANNE THOMA, on behalf of herself and
all others similarly situated

RYAN MURPHY'S PRIVILEGE LOG

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1460 Westwood Blvd., Los Angeles, CA 90024.

On August 21, 2024, I caused a true and correct copy of the foregoing document(s) described as **RYAN MURPHY'S PRIVILEGE LOG** to be served by electronic transmission to the below referenced electronic e-mail address as follows: The above document(s) were served on the interested parties in this action as follows: *BY ELECTRONIC MAIL: I am readily familiar with our office's practice of electronic mail transmitted by electronic mail transmission and that the transmission was reported as complete and delivered, and without error.*

Brad S. Kane
Kane Law Firm
bkane@kanelaw.la
Attorneys for Defendant, Vixen Media Group

Christian Waugh
cwaugh@waugh.legal
Attorneys for Defendant, Vixen Media
Group

Trey Brown
trey.brown@vixenmediagroup.com
In House Counsel -Vixen Media Group

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on August 21, 2024 at Los Angeles, California.

/s/ Sarah H. Cohen
Sarah H. Cohen

EXHIBIT R

[This Exhibit Has Been Filed Under Seal]

[Remainder of Page Intentionally Left Blank]

EXHIBIT S

KANE LAW FIRM

Brad S. Kane (SBN 151547)
bkane@kanelaw.la
1154 S. Crescent Heights. Blvd.
Los Angeles, CA 90035
Tel: (323) 697-9840
Fax: (323) 571-3579

Trey Brown (SBN 314469)
trey.brown@vixenmediagroup.com
11337 Ventura Blvd.
Studio City, CA 91604

Attorneys for Defendants

VXN GROUP LLC and MIKE MILLER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MACKENZIE ANNE THOMA,
a.k.a. KENZIE ANNE, an
individual and on behalf of all
others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware
limited liability company; MIKE
MILLER, an individual; and DOES
1 to 100, inclusive,

Defendants.

Case No. **2:23-cv-04901 WLH (AGRx)**

**DECLARATION OF LARRY
LERNER**

Complaint Filed: April 20, 2023
Removed: June 21, 2023

DECLARATION OF LARRY LERNER

1 I, Larry Lerner, hereby declare as follows:

2 1. I am a tax professional licensed by the Internal Revenue Service as an
3 Enrolled Agent. As an Enrolled Agent, I have provided professional tax services in
4 California for approximately 40 years. I have served as the CEO of Artists Business
5 Management Group, Inc., (“ABMG”) since its inception in 1989. I am personally
6 familiar with, and, if called upon, could and would testify to the facts contained
7 herein from my personal knowledge

8 2. In 2019, an acquaintance referred Mackenzie Anne Thoma (“Thoma”)
9 to me as a client for tax services, and I, along with other ABMG employees, began
10 providing bookkeeping and tax preparation services for Thoma and her various
11 business entities.

12 3. To prepare Thoma’s federal tax returns, ABMG required, and
13 received from Thoma certain financial information, including tax forms listing
14 income (e.g., W-2s and 1099s), and Thoma’s personal accounting of business
15 expenses related to her business activities.

16 4. ABMG prepared and filed Thoma’s federal tax returns for the years
17 2020, 2021, and 2022. In addition to Thoma’s individual taxes, these tax returns
18 included Schedule C’s related to Thoma’s businesses.

19 5. For the 2023 tax year, Thoma again engaged ABMG for tax
20 preparation services. However, after ABMG began work on her file, Thoma refused
21 to answer inquiries seeking to clarify her claimed business expenses. Instead,
22 Thoma communicated to me that she wanted ABMG to manipulate her taxes to
23 artificially inflate her income in hopes of qualifying for a loan to finance a home
24 mortgage.

25 6. The tax manipulation requested by Thoma presented a serious
26 professional risk to me and ABMG. It is not uncommon for individuals to
27 artificially inflate income to obtain favorable loan terms. When such a borrower
28

1 defaults on their mortgage, banks who underwrote the loan often pin liability on
2 accountants who prepared fraudulent tax returns.

3 7. Because I refused to perpetrate the fraud requested of me and ABMG
4 by Thoma, she refused to cooperate with ABMG and obtained tax services
5 elsewhere. Although ABMG expended nearly 15 hours preparing Thoma's 2023
6 tax returns, Thoma refused to pay ABMG's invoice of approximately \$1,500.

7 8. On or about August 22, 2024, I was served with a subpoena for my
8 personal deposition and, on behalf of ABMG, a subpoena to produce documents
9 related to Thoma.

10 9. On or about August 23, 2024, I received a telephone call from Thoma,
11 during which she pleaded with me not to comply with subpoena. Thoma claimed
12 that if I were to comply with the subpoena by producing documents, "it would harm
13 her case." In response, I informed Ms. Thoma that I had no legal basis to disobey
14 the subpoena and reminded her that ABMG's bill remained unpaid.

15 10. Around that same time, I also received a letter from Thoma's counsel,
16 Sarah Cohen ("Cohen"), dated August 23, 2024, which informed me that Ms.
17 Cohen intended to file a Motion to Quash the subpoenas directed to me and ABMG,
18 and that producing documents in response to the subpoena could subject me to civil
19 liability, court sanctions, and contempt of court.

20 11. A true and correct copy of Ms. Cohen's August 23, 2024 letter to me
21 was previously filed on the docket in this matter – **Dkt. # 107-1** at p. 42.

22 12. I was skeptical of Ms. Cohen's letter because of my past experience
23 where Thoma asked me to commit fraud on her behalf. I also knew that my legal
24 obligations required me to comply with the subpoena and that absent a court order
25 or formal withdrawal of the subpoena, it was still necessary for me to comply.

26 13. In response to Ms. Cohen's letter, on August 23, 2024, I emailed Ms.
27 Cohen and informed her that "I have no way of knowing if your information is
28

1 correct and have no trust in your information.” I said that “[i]f your client wishes
2 my assistance she will need to clear up her balance with our firm.” I said this
3 because I did not want to pay an attorney to help me find a way to avoid legal
4 compliance for Thoma who I did not trust who did not value my time or work. I
5 ended the email by saying “when and if I receive a release from the court we will
6 comply. Until then we will calendar it to meet the deadline we were served with.”

7 14. A true and correct copy of my August 23, 2024, email reply to Ms.
8 Cohen was previously filed on the docket in this matter – **Dkt. 107-1** at p. 44.

9 15. Subsequently, I received a telephone call from Ms. Cohen during
10 which she threatened to send me to jail if I complied with the subpoena. In
11 response, I told Ms. Cohen that unless and until I received a court order to the
12 contrary, I was going to comply with the subpoena. I did not appreciate her bullying
13 me.

14 16. On August 29, 2024, I received an email from defense counsel Trey
15 Brown (“Brown”), informing me of an Order from this Court upholding the validity
16 of subpoenas. I did not, however, receive any such communication from Ms. Cohen
17 informing me of the Order or that she never filed a Motion to Quash as represented
18 in her letter.

19 17. In response to Mr. Brown’s email, I produced via email 5 documents
20 to Mr. Brown that contained my notes and information concerning Ms. Thoma’s
21 business deductions and income from the 2022 tax year.

22 18. On September 3, 2024, I was deposed in this matter. During the
23 deposition, Mr. Brown asked a me series of questions regarding the nature of Ms.
24 Thoma’s business deductions. Although Mr. Brown did not specifically request
25 Thoma’s tax returns, rather than cross reference the returns in response to each
26 question, I emailed Mr. Brown Thoma’s tax returns for the years 2020, 2021, and
27 2022, which were prepared and filed by ABMG.

1 19. During my deposition, Ms. Cohen revisited my email and accused me
2 of blackmail, which I found offensive and extremely unfair. She claimed I was
3 blackmailing Thoma by asking her to pay her outstanding bill with my firm. I
4 believe she was trying to scare me into changing my testimony. However, I told
5 the truth about her bullying and Thoma's fraud and would not be further
6 intimidated into changing my testimony.

7 20. I have never blackmailed anyone. I take my reputation, my
8 professional license and my business very seriously. I also take compliance with
9 the law very seriously. As a tax professional, I know that the law must be followed
10 and I have a legal and ethical duty to comply with the law. I feel that Ms. Cohen
11 attempted to use her status as a licensed legal professional to do just the opposite -
12 coerce me into unlawful behavior.

13 21. A true and correct copy of redacted excerpts from Thoma's 2020 Tax
14 Return, including a Schedule C filed therewith is attached hereto as "**Exhibit 46.**"

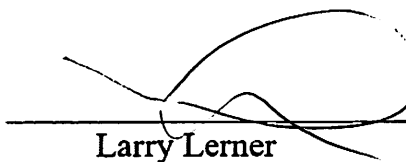
15 22. A true and correct copy of redacted excerpts from Thoma's 2021 Tax
16 Return, including a Schedule C filed therewith is attached hereto as "**Exhibit 47.**"

17 23. A true and correct copy of redacted excerpts from Thoma's 2022 Tax
18 Return, including a Schedule C filed therewith is attached hereto as "**Exhibit 48.**"

19 24. To prepare Thoma's tax returns, ABMG requested that Thoma
20 provide any W-2 forms, 1099s, and a categorized grouping of business deductions.
21 ABMG then uses this information to generate a tax return. All documents
22 generated, produced, and reviewed to prepare tax returns are shared with or
23 possessed by our clients, and Thoma is no exception. Accordingly, since we
24 furnished Thoma her 2020, 2021, and tax returns promptly after each filing, and
25 her lawsuit was filed on April 20, 2023, Thoma has possessed, at all times since
26 the filing of her lawsuit, all of the 1099's, Schedule C's, and business deduction
27 information produced by ABMG in response to the Defendants' subpoenas.

KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

1
2 I declare under penalty of perjury that the foregoing is true and
3 correct. Executed on December 18, 2024, at Los Angeles, California.
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Larry Lerner

EXHIBIT T

1 David D. Bibiyan (SBN 287811)
david@tomorrowlaw.com
2 Jeffrey D. Klein (SBN 297296)
jeff@tomorrowlaw.com
3 Sarah H. Cohen (SBN 330700)
sarah@tomorrowlaw.com
4 **BIBIYAN LAW GROUP, P.C.**
8484 Wilshire Boulevard, Suite 500
5 Beverly Hills, California 90211
Tel: (310) 438-5555; Fax: (310) 300-1705

6 Attorneys for Plaintiff as an individual and
7 on behalf of all aggrieved employees,
MACKENZIE ANNE THOMA

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 MACKENZIE ANNE THOMA, a.k.a KENZIE
11 ANNE, individually, and on behalf of all others
12 aggrieved employees,

13 Plaintiff,

14 vs.

15 VXN GROUP, LLC., a Delaware limited
liability company; STRIKE 3
16 HOLDINGS, LLC., a Delaware limited
liability company; GENERAL MEDIA
17 SYSTEMS, LLC., a Delaware limited
liability company; MIKE MILLER, an
18 individual; and DOES 1 through 100,
19 inclusive,

20 Defendants.
21

Case No. 23STCV16142

[Assigned for all purposes to the Hon. Teresa A.
Beaudet Dept 50]

**PLAINTIFF MACKENZIE ANNE
THOMA'S REQUEST FOR PRODUCTION
OF DOCUMENTS, SET ONE TO
DEFENDANT VXN GROUP, LLC.**

22 PROPOUNDING PARTY: Plaintiff MACKENZIE ANNE THOMA

23 RESPONDING PARTY: Defendant VXN GROUP, LLC.

24 SET NO.: ONE (1)
25
26
27
28

1 **TO DEFENDANT VXN GROUP, LLC. AND ITS ATTORNEYS OF RECORD:**

2 Plaintiff, MACKENZIE ANNE THOMA (“Plaintiff”), by and through Plaintiff’s attorneys
3 of record hereby requests pursuant to California Code of Civil Procedure section 2031.010, *et seq.*:

4 A. Please produce and permit the inspection and copying or photographing by or on
5 behalf of Plaintiff of each and every “WRITING” or “DOCUMENT” as defined in California
6 Evidence Code section 250, including in any of the categories listed below and in your possession,
7 custody or control.

8 B. In the event that you are not able to produce all of the documents requested, produce
9 those documents that you are able to provide and state the reason for your inability to provide the
10 remainder. In the event that any requested document was, but no longer is, in your possession,
11 custody or control, identify the document (by stating its date, author, subject matter, recipient,
12 intended recipients, circumstances by which the documents ceased to be in your possession, custody,
13 or control) and identify (by stating the person’s name, employer, title, business address and
14 telephone number, and home address and telephone number) all persons known to have or believed
15 to have the document or a copy of the document in their possession, custody or control.

16 C. PLEASE PRODUCE and permit the inspection and copying or photographing by on
17 behalf of Plaintiff of the aforesaid DOCUMENTS. There may be full compliance by forwarding
18 copies of said DOCUMENTS to Bibiyan Law Group, P.C. for Plaintiff. If there is no compliance
19 by forwarding said DOCUMENTS, then the production for inspection and photocopying will be
20 arranged to place at a future date at Bibiyan Law Group, P.C., located at 8484 Wilshire Blvd., Suite
21 500, Beverly Hills, California 90211.

22 Full compliance with this demand will require production of actual photographs or
23 negatives, if demanded. Prints will be made at our expense and all photographs returned
24 immediately thereafter. Photocopies of any demanded photographs will not be deemed compliance
25 with this demand. Laser copies are acceptable. Full and correct copies of DOCUMENTS and things
26 may be produced in lieu of the originals when accompanied by a verification that said copies are
27 true, accurate and complete copies of the originals.

28

1 Should any DOCUMENTS or things that are the subject of this demand remain in the
2 possession of this demanding party, no alteration or destruction of said items will be performed
3 without prior notice to the producing party.

4 **D.** The foregoing requested DOCUMENTS are relevant, are not privileged and
5 are under YOUR care, custody or control, or can be obtained by YOU.

6 If YOU contend that any of the above-requested DOCUMENTS are privileged, for each
7 such DOCUMENT, please set forth the following, pursuant to Code of Civil Procedure section
8 2031.240, subdivisions (b)(1) and (b)(2):

9 (1) A brief description of the nature and contents of the matter claimed to be
10 privileged;

11 (2) The name, address, occupation, and capacity of individuals from whom the
12 allegedly privileged matter emanates;

13 (3) The name, address, occupation and capacity of the individual from whom the
14 allegedly privileged matter was directed;

15 (4) The date the item bears;

16 (5) The privilege claimed; and

17 (6) The factual and legal basis for the claimed privilege.

18 **DEFINITIONS**

19 Words that are in CAPITALS are defined as follows:

20 (a) “YOU,” or “YOUR” as used herein, includes and refers to Defendant VXN GROUP,
21 LLC., its agents, representatives, investigators, employees, contractors, insurance companies,
22 including workers’ compensation carriers and/or third-party adjusting administrators; their agents,
23 their employees, their investigators, their representatives; their predecessors in interest, their agents,
24 their employees, their investigators, their representatives, their insurance companies; their
25 successors in interest, their agents, their employees, their investigators, their representatives, their
26 insurance companies; and anyone else acting on VXN GROUP, LLC’S behalf except its herein
27 attorneys.

28 (b) “ANYONE ACTING ON YOUR BEHALF” shall mean and include YOU, YOUR

1 agents, YOUR employees, YOUR insurance companies, their agents, their employees, YOUR
2 attorneys, YOUR accountants, YOUR investigators, and anyone else acting on YOUR behalf.

3 (c) "CHECK STUBS" shall mean and refer to the "itemized statement in writing"
4 described in California Labor Code section 226.

5 (d) "DOCUMENT(S)", as used herein, shall refer to, mean and include any tangible
6 thing upon which any expression, communication or representation has been recorded by any means,
7 including, but not limited to, any and all writings, as defined in California Evidence Code section
8 250, including the original or a copy of handwriting, typewriting, printing, photostating,
9 photographing, electronic and/or each and every other means of recording upon any tangible or
10 electronic medium and/or thing as well as any and all forms of communication or representation,
11 including letters, words, pictures, sounds or symbols, or any combination thereof.
12 "DOCUMENT(S)" also includes "ESI as defined below and other information stored by computer
13 or on a computer disk, diskette, tape or card, as well as any electronic recording, tape recording,
14 photograph, video, file, microfilm, microfiche, or similar recording of words, images, sounds,
15 pictures, or information of any kind. "DOCUMENT(S)" also includes any and all drafts of, and
16 amendments, or supplements to, any of the foregoing and ESI, whether prepared by YOU or any
17 other PERSON, as well as copies of the DOCUMENT that differ from the copy being produced (*i.e.*
18 a differing copy is one that contains handwritten notes, interlineation, underlining and the like).

19 (e) "ESI", as used herein, shall mean and refer to "electronically stored information" as
20 defined in California Code of Civil Procedure section 2016.020, subdivision (e), and shall include,
21 without limitation, any information, including files, documents, images, video, metadata or any
22 combination thereof stored, created, or used on any electronic storage device, disk, tape (including
23 backup tapes and other backup media), or other computer or digital storage medium, microfilm,
24 microfiche, floppy, or any other storage or recording medium. ESI includes, without limitation,
25 electronic mail messages, voicemail messages, instant messaging, text messages, information stored
26 on web pages or web servers, and database records.

27 (f) "HOURS WORKED" shall mean and refer to the time during which an employee is
28 subject to the control of the employer, and includes all the time the employee is suffered or permitted

1 to work, whether or not required to do so.

2 (g) "MEAL PERIOD(S)" shall mean and refer to the off-duty meal period definition
3 provided by Labor Code sections 226.7, 512 and applicable Wage Order(s).

4 (h) "OVERTIME" shall mean and refer to overtime and double time definitions
5 provided by Labor Code sections 510, 1194 and the applicable Wage Order(s).

6 (i) "PERSON(S)," as used herein, shall refer to, mean and include any natural person,
7 or firm, association, organization, partnership, business, trust, corporation, public agency and/or
8 other form of legal entity.

9 (j) "AGGRIEVED EMPLOYEE(S)" shall mean and refer to any and all the current and
10 former individuals who worked for YOU within the State of California at any time from April 17,
11 2022 through the present, including but not limited to individuals who provided modeling or acting
12 services within the state of California for YOU during the RELEVANT TIME PERIOD.

13 (k) "RELEVANT TIME PERIOD," as used herein shall refer to the period from April
14 17, 2022 to the present.

15 (l) "REST PERIOD(S)" shall mean and refer to the rest break definition provided by
16 Labor Code section 226.7 and the applicable Wage Order(s).

17 (m) "TIME ENTRIES" shall mean and refer to time-in and time-out data recorded by
18 YOU to calculate hours worked by YOUR non-exempt employees, including, without limitation,
19 timecards, punch-in/punch-out entries, timesheets, or other records of days and hours worked.

20 (n) "MISCLASSIFICATION" shall mean and refer to classifying an employee as an
21 independent contractor.

22 (o) "INDUSTRY" shall refer to and relate to the adult film field.

23 **REQUESTS**

24 1. Copies of any and all DOCUMENTS that constitute, reflect or refer to Plaintiff's
25 personnel or employment file.

26 2. Copies of any and all employment handbook(s) which YOU provided to Plaintiff.

27 3. Copies of any and all employment handbook(s) applicable to AGGRIEVED
28 EMPLOYEES during the RELEVANT TIME PERIOD.

- 1 4. The complete contents of any files maintained by YOU in Plaintiff's name.
- 2 5. Any and all DOCUMENTS that RELATE TO a description of YOUR regular trade
- 3 or business.
- 4 6. All DOCUMENTS signed by Plaintiff relating to the obtaining or holding of
- 5 employment within the meaning of California Labor Code section 432.
- 6 7. All PERSONNEL FILES within the meaning of California Labor Code section
- 7 1198.5 of Plaintiff which have been used to determine Plaintiff's qualifications for employment,
- 8 promotion, additional compensation, termination, or disciplinary action.
- 9 8. Copies of all CHECK STUBS issued to Plaintiff during the course of her
- 10 employment with YOU.
- 11 9. Copies of any and all work schedules for Plaintiff during her employment with YOU.
- 12 10. Copies of all DOCUMENTS reflecting policies applicable to Plaintiff during her
- 13 employment with YOU.
- 14 11. Copies of all payroll records relating to Plaintiff during her employment with YOU.
- 15 12. Copies of any and all performance evaluations or employee appraisals for Plaintiff
- 16 during the course of her employment with YOU.
- 17 13. Copies of any and all W-2s issued to Plaintiff.
- 18 14. Copies of any and all 1099s issued to Plaintiff
- 19 15. Any and all DOCUMENTS that RELATE TO any prior or current Employment
- 20 Development Department audit and/or benefit claim investigation or hearing brought against YOU
- 21 that involved the issue of worker misclassification during the past ten (10) years.
- 22 16. Any and all DOCUMENTS that in any manner relate, reflect or refer to YOUR
- 23 DOCUMENT retention and/or destruction policies in effect during the RELEVANT TIME
- 24 PERIOD.
- 25 17. Any and all DOCUMENTS which constitute, refer or relate to YOUR timekeeping
- 26 policies or practices for AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.
- 27
- 28

1 18. Any and all DOCUMENTS that RELATE TO any other governmental agency ruling
2 during the past ten (10) years regarding the employment status of persons who performed the same
3 or similar services for YOU as those that PLAINTIFF performed for YOU.

4 19. Any and all DOCUMENTS concerning YOUR policies, practices and procedures
5 regarding computing the regular rate of pay and other forms of remuneration, including, without
6 limitation, bonuses, commissions and shift differential pay, applicable to AGGRIEVED
7 EMPLOYEES during the RELEVANT TIME PERIOD.

8 20. Any and all DOCUMENTS concerning YOUR policies, practices and procedures
9 regarding working off the clock applicable to AGGRIEVED EMPLOYEES during the RELEVANT
10 TIME PERIOD.

11 21. Any and all DOCUMENTS concerning YOUR policies, practices and procedures
12 regarding on-duty meal periods, applicable to AGGRIEVED EMPLOYEES during the
13 RELEVANT TIME PERIOD.

14 22. All DOCUMENTS concerning YOUR policies regarding the payment of
15 OVERTIME wages to AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

16 23. Any and all DOCUMENTS that describe, discuss or refer to YOUR procedure
17 regarding payment of regular wages for AGGRIEVED EMPLOYEES applicable during the
18 RELEVANT TIME PERIOD.

19 24. All DOCUMENTS concerning YOUR policies regarding MEAL PERIODS
20 applicable to AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

21 25. All DOCUMENTS concerning the recording of AGGRIEVED EMPLOYEE MEAL
22 PERIODS during the RELEVANT TIME PERIOD.

23 26. All DOCUMENTS concerning on-duty MEAL PERIOD agreements obtained from
24 AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

25 27. All DOCUMENTS concerning any MEAL PERIOD waivers obtained from
26 AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

27 28. All DOCUMENTS concerning YOUR policies regarding REST PERIODS for
28 AGGRIEVED EMPLOYEES applicable during the RELEVANT TIME PERIOD.

1 29. All DOCUMENTS concerning the recording of AGGRIEVED EMPLOYEE REST
2 PERIODS during the RELEVANT TIME PERIOD.

3 30. All DOCUMENTS concerning YOUR policies regarding issuing CHECK STUBS
4 to AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

5 31. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
6 YOU did not have the right to instruct AGGRIEVED EMPLOYEES while AGGRIEVED
7 EMPLOYEES performed work for YOU during the RELEVANT TIME PERIOD, including, but
8 not limited to, require AGGRIEVED EMPLOYEES to follow YOUR procedure manual(s) and/or
9 specific instructions on how to perform the work.

10 32. All DOCUMENTS concerning YOUR policies regarding the termination of
11 AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

12 33. Any and all DOCUMENTS concerning YOUR policies regarding the payment of
13 final wages to AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

14 34. Copies of any and all DOCUMENTS that describe, reflect or refer to YOUR policies,
15 procedure or practices regarding how TIME ENTRIES are recorded within the State of California
16 during the RELEVANT TIME PERIOD.

17 35. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
18 YOU did not instruct AGGRIEVED EMPLOYEES while AGGRIEVED EMPLOYEES performed
19 work for YOU during the RELEVANT TIME PERIOD, including, but not limited to, require
20 AGGRIEVED EMPLOYEES to follow YOUR procedure manual(s) and/or specific instructions on
21 how to perform the work.

22 36. Any and all DOCUMENTS that identify the job positions/titles YOU employed the
23 Plaintiff for during the RELEVANT TIME PERIOD.

24 37. Any and all DOCUMENTS that identify the job descriptions for each position
25 identified in the previous Request.

26 38. Any and all DOCUMENTS which constitute, refer or relate to the job duties and
27 responsibilities of AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD while
28 employed by YOU.

1 39. All DOCUMENTS which constitute any spreadsheet or similar document containing
2 reimbursement amounts for any work-related expenses provided to AGGRIEVED EMPLOYEES
3 during the RELEVANT TIME PERIOD, which identify AGGRIEVED EMPLOYEES through a
4 unique employee number instead of their names.

5 40. Copies of any and all DOCUMENTS provided to YOU by AGGRIEVED
6 EMPLOYEES during the RELEVANT TIME PERIOD seeking reimbursement amounts for any
7 work-related expenses they incurred during the RELEVANT TIME PERIOD.

8 41. Any and all DOCUMENTS reflecting work-related expense policies between YOU
9 and AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD regarding work-related
10 expenses by YOUR California non-exempt employees.

11 42. Any and all DOCUMENTS reflecting or related to cellular telephone policies
12 maintained by YOU during the relevant time period.

13 43. Any and all DOCUMENTS reflecting communications between YOU and
14 AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD regarding reimbursement
15 requests.

16 44. Any and all DOCUMENTS, including e-mails, regarding Plaintiff's HOURS
17 WORKED during her employment with YOU.

18 45. Any and all DOCUMENTS, including e-mails regarding wages owed to Plaintiff
19 during her employment with YOU.

20 46. Any and all DOCUMENTS providing the employee name, date of termination, and
21 date that the final CHECK STUB was issued for AGGRIEVED EMPLOYEES who were terminated
22 during the RELEVANT TIME PERIOD.

23 47. Any and all DOCUMENTS providing the employee name, date of resignation, and
24 date that the final CHECK STUB was issued for AGGRIEVED EMPLOYEES who resigned during
25 the RELEVANT TIME PERIOD.

26 48. Any and all DOCUMENTS that constitute, describe, discuss, reflect or refer to
27 YOUR communications with AGGRIEVED EMPLOYEES regarding wages owed during the
28 RELEVANT TIME PERIOD.

1 49. Copies of YOUR California payroll policies and procedures manual in effect at any
2 time during the RELEVANT TIME PERIOD.

3 50. Any and all DOCUMENTS that relate to YOUR policies, procedures or practices
4 regarding payment of premium wages for MEAL PERIODS by AGGRIEVED EMPLOYEES
5 during the RELEVANT TIME PERIOD.

6 51. Any and all DOCUMENTS that relate to YOUR policies, procedures or practices
7 regarding payment of premium wages for REST PERIODS by AGGRIEVED EMPLOYEES during
8 the RELEVANT TIME PERIOD.

9 52. Any and all DOCUMENTS constituting or reflecting a MEAL PERIOD premium
10 payment issued to AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

11 53. Any and all DOCUMENTS constituting or reflecting a REST PERIOD premium
12 payment issued to AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

13 54. Any and all DOCUMENTS that describe, discuss, reflect or refer to an employment
14 agreement, if any, between YOU and Plaintiff during her employment with YOU.

15 55. Any and all CHECK STUBS issued to YOUR California non-exempt employees
16 during the RELEVANT TIME PERIOD.

17 56. Any and all AGGRIEVED EMPLOYEE TIME ENTRIES during the RELEVANT
18 TIME PERIOD.

19 57. Any and all native/original AGGRIEVED EMPLOYEE TIME ENTRIES during the
20 RELEVANT TIME PERIOD.

21 58. Any and all edited AGGRIEVED EMPLOYEE TIME ENTRIES during the
22 RELEVANT TIME PERIOD.

23 59. Any and all AGGRIEVED EMPLOYEE work schedules during the RELEVANT
24 TIME PERIOD.

25 60. Any and all DOCUMENTS, including e-mails, between YOU and any
26 AGGRIEVED EMPLOYEE during the RELEVANT TIME PERIOD that reflect, concern or
27 respond to complaints by YOUR employee(s) that they were not paid all amounts owed or earned.
28

1 61. Copies of any and all statements signed by YOUR current and/or former employees
2 regarding the instant lawsuit.

3 62. Copies of any and all statements signed by YOUR current and/or former employees
4 during the RELEVANT TIME PERIOD regarding Plaintiff.

5 63. All agreements between YOU and AGGRIEVED EMPLOYEES purporting to
6 release claims pled in Plaintiff's Complaint.

7 64. Any and all DOCUMENTS that reflect the names and CONTACT INFORMATION
8 of AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD.

9 65. Any and all DOCUMENTS regarding company policy on the provision of tools
10 necessary for the workplace during THE RELEVANT TIME PERIOD.

11 66. Any and all arbitration agreements YOU contend were signed by any AGGRIEVED
12 EMPLOYEES.

13 67. Any and all DOCUMENTS that relate to YOUR policies, procedures or practices
14 regarding AGGRIEVED EMPLOYEES off the clock work.

15 68. All DOCUMENTS identified in YOUR responses to Plaintiff's Special
16 Interrogatories, Set One.

17 69. All DOCUMENTS identified in YOUR responses to Plaintiff's Form Interrogatories
18 – General, Set One.

19 70. Any and all DOCUMENTS that constitute, describe, discuss, reflect or refer to
20 YOUR relationship with YOUR facilities where AGGRIEVED EMPLOYEES worked during the
21 RELEVANT TIME PERIOD.

22 71. Any and all DOCUMENTS that constitute, describe, discuss, reflect or refer to YOU
23 issuing wage statements to AGGRIEVED EMPLOYEES.

24 72. Any and all DOCUMENTS that describe, discuss, reflect or refer to YOUR policy
25 for issuing wage statements to AGGRIEVED EMPLOYEES at YOUR facilities.

26 73. Any and all COMMUNICATIONS that describe, discuss, reflect or refer to YOUR
27 policy for issuing wage statements to AGGRIEVED EMPLOYEES.

28

1 74. Any and all DOCUMENTS that describe, discuss, reflect or refer to YOUR policy
2 for maintaining personnel files of AGGRIEVED EMPLOYEES.

3 75. Any and all COMMUNICATIONS that describe, discuss, reflect or refer to YOUR
4 policy for maintaining the personnel files of AGGRIEVED EMPLOYEES.

5 76. Any and all DOCUMENTS that describe, discuss, reflect or refer to YOUR policy
6 for hiring and terminating AGGRIEVED EMPLOYEES.

7 77. Any and all DOCUMENTS that describe, discuss, reflect or refer to YOUR policy
8 for training AGGRIEVED EMPLOYEES.

9 78. Any and all DOCUMENTS that describe, discuss, reflect or refer to YOUR policy
10 for maintaining the TIME ENTRIES of AGGRIEVED EMPLOYEES who worked at YOUR
11 facilities.

12 79. Any and all DOCUMENTS that describe, discuss, reflect or refer to the accuracy of
13 the time-clock YOU required AGGRIEVED EMPLOYEES to use during the RELEVANT TIME
14 PERIOD.

15 80. Any and all DOCUMENTS that constitute, describe, discuss, reflect or refer to
16 complaints YOU received from AGGRIEVED EMPLOYEES regarding interrupted meal breaks
17 during the RELEVANT TIME PERIOD.

18 81. Any and all DOCUMENTS that constitute, describe, discuss, reflect or refer to
19 complaints YOU received from AGGRIEVED EMPLOYEES regarding interrupted rest breaks
20 during the RELEVANT TIME PERIOD.

21 82. Any and all DOCUMENTS that indicate that Plaintiff was an independent contractor
22 during RELEVANT TIME PERIOD.

23 83. Any and all DOCUMENTS that indicate the AGGRIEVED EMPLOYEES were not
24 MISCLASSIFIED during the RELEVANT TIME PERIOD.

25 84. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
26 YOU did not set PLAINTIFF'S work hours while PLAINTIFF performed work for YOU during the
27 RELEVANT TIME PERIOD.

28

1 85. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
2 YOU did not set AGGRIEVED EMPLOYEES' work hours while they performed work for YOU
3 during the RELEVANT PERIOD.

4 86. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
5 YOU did not have the right to require AGGRIEVED EMPLOYEES to work at certain times when
6 they performed work for YOU during the RELEVANT PERIOD.

7 87. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
8 YOU did not require AGGRIEVED EMPLOYEES to work at certain during the RELEVANT TIME
9 PERIOD.

10 88. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
11 AGGRIEVED EMPLOYEES were free to choose when to work for YOU during the RELEVANT
12 TIME PERIOD.

13 89. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
14 YOU did not have the right to require AGGRIEVED EMPLOYEES to perform work at a location
15 designated by YOU during the RELEVANT TIME PERIOD.

16 90. Any and all DOCUMENTS that RELATE TO, support, or negate the contention that
17 the work performed by AGGRIEVED EMPLOYEES during the RELEVANT TIME PERIOD was
18 not of a nature that could be performed at a location different from the location designated by YOU.

19 91. Any and all DOCUMENTS that indicates YOU provided AGGRIEVED
20 EMPLOYEES the option to choose the location where work could be performed during the
21 RELEVANT TIME PERIOD.

22 92. Any and all DOCUMENTS that indicate AGGRIEVED EMPLOYEES were free to
23 follow an independent pattern of work when performing for YOU during the RELATIVE TIME
24 PERIOD.

25 93. Any and all DOCUMENTS that indicate YOU had the authority to terminate
26 AGGRIEVED EMPLOYEES without cause during the relevant time period.

27 94. Any and all DOCUMENTS that indicates AGGRIEVED EMPLOYEES could not
28 quit performing work at any time without cause, during the RELEVANT TIME PERIOD.

1 95. Any and all DOCUMENT that indicate the success of YOUR business did not
2 depend on the performance of the service that AGGRIEVED EMPLOYEES undertook during the
3 RELEVANT TIME PERIOD.

4 96. Any and all DOCUMENTS that indicate PLAINTIFF had the authority to hire
5 employees, without YOUR knowledge of consent, to perform the work for YOU that PLAINTIFF
6 performed during the RELEVANT TIME PERIOD.

7 97. Any and all DOCUMENTS that indicate PLAINTIFF'S work arrangement with
8 YOU during the RELEVANT TIME PERIOD did not consist of continuing work.

9 98. Any and all DOCUMENTS that indicate PLAINTIFF'S work relationship with YOU
10 concluded after PLAINTIFF finished a job during the RELEVANT TIME PERIOD.

11 99. Any and all DOCUMENTS that indicate AGGRIEVED EMPLOYEE'S work
12 relationship with YOU concluded after AGGRIEVED EMPLOYEES finished a job during the
13 RELEVANT TIME PERIOD.

14 100. Any and all DOCUMENTS relating to YOUR prerequisite requirements for
15 AGGRIEVED EMPLOYEES before beginning work for YOU during the relevant time period.

16 101. Any and all DOCUMENTS relating to YOUR requirements to have AGGRIEVED
17 EMPLOYEES provide information regarding their health history during the RELEVANT TIME
18 PERIOD.

19 102. Any and all DOCUMENTS that indicates AGGRIEVED EMPLOYEES were paid
20 on an hourly basis by YOU during the RELEVANT TIME PERIOD.

21 103. Any and all DOCUMENTS that indicates AGGRIEVED EMPLOYEES were paid
22 on a daily basis by YOU during the RELEVANT TIME PERIOD.

23 104. Any and all DOCUMENTS that indicates AGGRIEVED EMPLOYEES were paid
24 on a weekly basis by YOU during the RELEVANT TIME PERIOD.

25 105. Any and all DOCUMENTS that indicates AGGRIEVED EMPLOYEES were paid
26 on a monthly basis by YOU during the RELEVANT TIME PERIOD.

27 106. Any and all DOCUMENTS that indicates whether AGGRIEVED EMPLOYEES
28 were insulated from loss of profits during the RELEVANT TIME PERIOD.

1 107. Any and all DOCUMENTS that indicate whether AGGRIEVED EMPLOYEES
2 were free to accept or reject work assignments provided to her by YOU during the RELEVANT
3 TIME PERIOD.

4 108. Any and all DOCUMENTS that indicate AGGRIEVED EMPLOYEES were allowed
5 to perform work for compensation for other individuals or entities in YOUR INDUSTRY during
6 the RELEVANT TIME PERIOD.

7 109. Any and all other DOCUMENTS that YOU feel will be relevant to the case at hand
8 from the RELEVANT TIME PERIOD.

9 110. Any and all other DOCUMENTS that YOU will refer to for the case at hand from
10 the RELEVANT TIME PERIOD.

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12 Dated: October 1Q, 2023

BIBIYAN LAW GROUP, P.C.

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BY: /s/ Sarah H. Cohen

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SARAH H. COHEN

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Attorneys for Plaintiff MACKENZIE ANNE THOMA
on behalf of herself and other aggrieved employees

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 8484 Wilshire Blvd, Suite 500, Beverly Hills, California 90211.

On October 10, 2023, and pursuant to the California Code of Civil Procedure section 1010.6, I caused a true and correct copy of the foregoing document(s) described as **PLAINTIFF MACKENZIE ANNE THOMA'S REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE TO DEFENDANT VXN GROUP, LLC.** to be served by electronic transmission to the below referenced electronic e-mail address as follows:

Brad S. Kane
Eric Clopper
Kane Law Firm
1154 S. Crescent Hts. Blvd.
Los Angeles, CA 90035
Tel: (323) 697-9840
Fax: (323) 571-3579
Emails: eclopper@kanelaw.la
bkane@kanelaw.la

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 10, 2023, at Beverly Hills, California.

/s/ Emanuel Munguia

Emanuel Munguia